



WEB COPY



Crl.O.P.No.20822 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.20822 of 2025

1.Vigneshwaran

2. Saravanan

... Petitioners/A3 & A4

Vs.

The State represented by
The Inspector of Police,
Ambalur Police Station,
Tirupathur District.
Crime No.106 of 2025

... Respondent

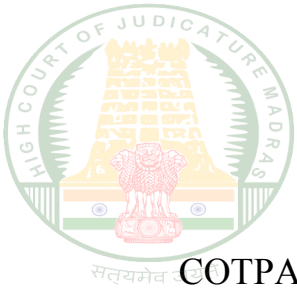
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.106 of 2025 on the file of the respondent.

For Petitioners : Mr.D.Balaji

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody
on 29.06.2025, for the offence punishable under Sections 6(a), 24(1) of



CrI.O.P.No.20822 of 2025

WEB COPY

COTPA Act read with Section 123 of BNS, in Crime No.106 of 2025, registered on the file of the respondent, seeks bail.

2.The case of the prosecution is that the petitioners were found in illegal possession of 644.15 kgs of banned tobacco products. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The petitioners are in judicial custody from 29.06.2025 and hence, further custody of the petitioners is not required. He further submitted that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.1,00,000/-each to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioners.

5. Heard both sides and perused the materials available on record.



CrI.O.P.No.20822 of 2025

WEB COPY 6. Considering the facts and circumstances of the case, the submission that the petitioners are willing to deposit an amount of Rs.1,00,000/-each to any welfare scheme of the Government or any other organization and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Vaniyambadi, Tirupathur District**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **The petitioners shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) each (Non refundable) to the credit of the Government Arignar Anna Memorial Cancer Hospital and Research**



WEB COPY



CrI.O.P.No.20822 of 2025

**Institute, Kancheepuram in Account
No.015701000013540, Indian Overseas Bank,
Kancheepuram Main, Kancheepuram - 631 501, IFSC
Code: IOBA0000157, and to produce the Bank Challan
before the concerned Magistrate and the receipt shall be
produced at the time of executing the bond;**

**[c] the petitioners shall report before the respondent
Police daily at 10.30.a.m., for a period of thirty days;
thereafter as and when required for interrogation;**

**[d] the petitioners shall make himself available for
interrogation by a Police Officer as and when required;**

**[e] the petitioners shall not directly or indirectly
cause any threat to the de facto complainant and
witnesses;**

**[f] the petitioners to give an undertaking that if
required for being identified by witnesses during
investigation or for police custody beyond the first fifteen
days, he shall comply to the directions as may be given by
the Court in this regard;**

**[g] On breach of any of the aforementioned
conditions, the learned Magistrate/Trial Court is entitled
to pass appropriate orders against the petitioners in
accordance with law as if the aforementioned conditions
have been imposed and the petitioners released on bail by
the learned Magistrate/Trial Court himself as laid down by**



WEB COPY



CrI.O.P.No.20822 of 2025

the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

24.07.2025

sma

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate Court,
Vaniyambadi, Tirupathur District.
- 2.The Inspector of Police,
Ambalur Police Station,
Tirupathur District.
- 3.The Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

M.NIRMAL KUMAR, J.



WEB COPY



CrI.O.P.No.20822 of 2025

sma

CrI.O.P.No.20822 of 2025

24.07.2025