

Crl.O.P.No.22585 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22585 of 2025

1. Sankar Ganesh,
2. Alagarsamy.

... Petitioners/Accused

Vs.

State Rep. by
The Inspector of Police,
Nallur Police Station,
Tiruppur City,
Tiruppur District.
Crime No. 449 of 2025.

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 483 of *Bharatiya Nagarik Suraksha Sanhita, 2023*, pleaded to enlarge the petitioners on bail pending investigation of Crime No.449 of 2024 pending on the file of the respondent police.

For Petitioners : Mr.C.S.Saravanan

For Respondent : Mr.L.Baskaran
Government Advocate (Criminal Side)

ORDER



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The petitioners, who was arrested and remanded to judicial custody on 04.08.2025, for the offence punishable under Sections 286, 123 of BNS, 2023 (284, 328 of I.P.C), in Crime No.449 of 2025, registered on the file of the respondent, seeks bail.

2. A complaint was lodged by one Krishnamoorthy alleging that a tobacco product purchased from the first petitioner caused him illness, and he suspected that it contained a prohibited substance.

3. The petitioners were arrested on the same day and 6.300 kg of prohibited tobacco products, valued at Rs.10,000/-, were seized from their possession.

4. The learned counsel appearing for the petitioners submitted that the petitioners are not connected with the alleged offence. In particular, the second petitioner's name is not mentioned in the F.I.R. and he was falsely implicated. According to the petitioners, they are running a grocery shop and do not sell any prohibited items.

5. The learned Government Advocate (Criminal Side) appearing



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for the respondent stated that the petitioners are first-time offenders and that the entire family is allegedly involved in the illegal sale of banned tobacco products.

6. Considering the nature of the complaint and the manner in which the seizure was effected, this Court is inclined to grant bail, subject to 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)** each with **two sureties**, for a like sum to the satisfaction of the learned **Judicial Magistrate No.IV, Tiruppur.**

[a] The petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of Crime No.449 of 2025 on the file of the Judicial Magistrate No.IV, Tiruppur, on or before 29.08.2025;

[b] The sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship



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[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;

[c] The petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders.

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

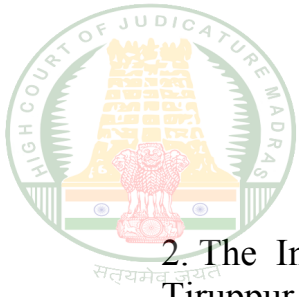
[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

19.08.2025

bsm

To
1.The Judicial Magistrate No.IV, Tiruppur.

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2. The Inspector of Police, Nallur Police Station, Tiruppur City, Tiruppur District.
3. The District Jail, Tiruppur.
4. The Public Prosecutor, High Court of Madras.

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.



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Dr.G.JAYACHANDRAN, J.

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