



WEB COPY



CrI.O.P.No.22586 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.22586 of 2025

1.Sivakumar, M/34,
S/o Govindharaj,
No.131, Thaman Vattam,
Thamaraikulam,
Elagiri Village,
Jolarpet, Tirupattur District.

2.Rajesh, M/34,
S/o Vijayan,
No.112, Muradan Vattam,
Elagiri Village,
Jolarpet, Tirupattur District.

..Petitioners/Accused 1 & 2

/versus/

State rep.by its
Inspector of Police,
Jolarpet Police Station,
Thirupathur District.
(Crime No.237 of 2025)

.. Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner herein on bail in Crime No.237 of 2025 on the file of the Inspector of Police, Jolarpet Police Station, Tirupattur District/Respondent herein pending investigation.



WEB COPY



Crl.O.P.No.22586 of 2025

For Petitioners :Mr.T.Shanmugam
For Respondent :Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 30.07.2025 for the offences punishable under Sections 6(b), 24(1) of Cigarette and Other Tobacco Products Act and Section 123 of BNS in Crime No.237 of 2025 on the file of the respondent, seek bail.

2.The case of the prosecution is that the petitioners are alleged to have found in possession of 3210 grams banned tobacco products.

3.The learned counsel appearing for the petitioners submitted that the first petitioner is supplier of the banned tobacco product. The second petitioner is the shop owner.

4.The learned Government Advocate (Crl.Side) submitted that the value of the seized tobacco product is Rs.9000/-and the investigation is under progress.

5.Considering the period of incarceration and quantity of the banned tobacco product, this Court is inclined to grant bail to the petitioners with certain conditions.



WEB COPY

6. Accordingly, each of the petitioners are directed to deposit a sum of **Rs.5,000/- [Rupees Five Thousand Only]** to the credit of Crime No.237 of 2025 before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 04.09.2025**, before the learned **Judicial Magistrate-I, Tirupattur** , on condition that each of the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 report before the respondent police as and when required for interrogation;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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]**;



CrI.O.P.No.22586 of 2025

WEB COPY

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

22.08.2025

ari

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-I, Tirupattur.
- 2.The Inspector of Police, Jolarpet Police Station, Thirupathur District.
- 3.The Sub-Jail, Tirupattur.
- 4.The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.22586 of 2025

Dr.G.JAYACHANDRAN, J.

ari

Crl.O.P.No.22586 of 2025

22.08.2025