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Crl.O.P.No.22866 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22866 of 2025

Thangarasu

... Petitioner

Vs.

The State represented by its
The Inspector of Police,
Puzhal Police Station,
Puzhal.
(Crime No.601 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.601 of 2025 on the file of the respondent Police.

For Petitioner : Mr.K.Yuvaraj

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
23.07.2025, for the alleged offence under Sections 274, 275, 123 of BNS and
Section 7 and 9 (ii) of TN Prohibition of Smoking and Splitting Act 2003 and
under Section 77 of Juvenile Justice (Care and Protection of Children Act) 2015



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in Crime No.601 of 2025, registered on the file of the respondent, seeks bail.

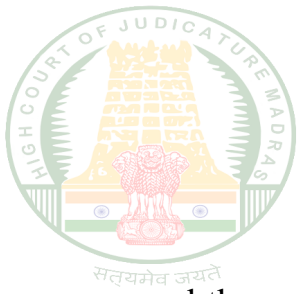
2.The case of the prosecution is that the petitioner, who is running a petty shop near the School, was selling Cigarettes to the young students. Tobacco products worth about Rs.1500/- were seized from his possession, and he was arrested on 23.07.2025.

3.The learned counsel for the petitioner states that the petitioner is a senior citizen and has been falsely implicated in this case. He was merely assisting his son in running the petty shop. Hence, he prayed for grant of bail to the petitioner.

3.The learned Government Advocate (Criminal side) appearing for the respondent Police reiterated the prosecution case and opposed for grant of bail to the petitioner.

4.Heard the learned counsels on either side and perused the materials on record.

5.Considering the nature of crime, the quantity of contraband seized



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and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/- [Rupees Ten Thousand Only]** to the credit of Crime No.601 of 2025 before the trial Court, on such deposit and production of proof, the petitioner is 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 **District Munsif Cum Judicial Magistrate, Madhavaram**, 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 petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders;

[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



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

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

18.08.2025

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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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To

1. The District Munsif cum Judicial Magistrate,
Madhavaram.
2. The Inspector of Police,
Puzhal Police Station,
Puzhal.
3. The Superintendent,
Puzhal Prison, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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