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Crl.O.P.No.23092 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE Dr. JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23092 of 2025

Shadulla

... Petitioner

Vs.

State rep.by Tamil Nadu Represented by
The Inspector of Police,
Jolarpet Police Station,
Tirupattur District.
(Crime No.249 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS 2023 (under Section 439 of Cr.P.C), to enlarge the Petitioner's on bail in Crime No.249 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner herein, who was arrested and remanded to judicial custody on 07.08.2025 for offence punishable under Sections 6(b), 24(1) of Cigarette and Other Tobacco Products Act 2003 and Section 123 of Bharatiya Nyaya Sanhita 2023, in Crime No.249 of 2025, registered on the file of the respondent police and seeks bail.



2. The case of the prosecution is that the petitioner was found in possession of 6.51 kgs of banned tobacco products. Hence, the case.

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3. The learned counsel appearing for the petitioner submits that the petitioner is the first-time offender and has been in prison for nearly 26 days. Hence, he prayed for grant of bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner.

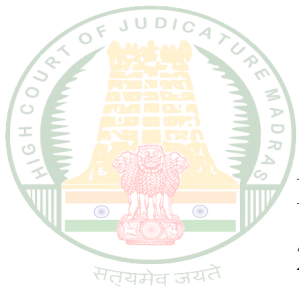
4. Heard both sides and perused the materials available on record.

5. Taking note of the quantum of contraband seized from the petitioner's premises and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on **depositing a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only) in the account pertaining to Crime No.249 of 2025**. On such deposit, the surety may be considered and on further conditions that:

[a] The petitioner 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 learned **Judicial Magistrate No.I, Tirupattur;**

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



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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 petitioner shall report 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 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]**;

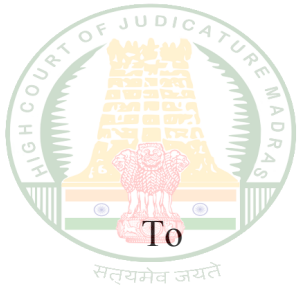
[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

01.09.2025

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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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WEB COPY 1.The Judicial Magistrate No.I, Tirupattur

2.The Sub Jail, Tirupattur.

3.The Inspector of Police,
Jolarpet Police Station,
Tirupattur District.

4.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.,

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