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Crl.O.P.No.23412 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

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

Crl.O.P.No.23412 of 2025

Perarasan

... Petitioner

Vs.

The State rep by,
Station House Officer,
Kallakurichi Police Station,
Kallakurichi District.
(Crime No.467 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in pending investigation in Crime No.467 of 2025 on the file of the Respondent Police.

For Petitioner : Mr.V.Gunasekar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.08.2025, for the offence punishable under Section 123 of BNS r/w Section 24(1) of Cigarette and other Tobacco Products Act, 2023, in Crime



Crl.O.P.No.23412 of 2025

WEB COPY

No.467 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner was found to be in possession of 8.400 kilograms of banned Tobacco Products in his shop. Hence, the present complaint.

3. The learned Government Advocate (Crl.Side) submits that the seized products had been sent for analysis and the analysis report is awaited. The market value of the seized products is around Rs.3,360.

4. The learned counsel for the petitioner submits that the petitioner has no previous case against him.

5. Considering the submissions made on either side, 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.4,000/- (Rupees Four Thousand only) in the account pertaining to Crime No.467 of 2025 within a period of fifteen days.** 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, Kallakurichi;**



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CrI.O.P.No.23412 of 2025

[b] 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;

[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.

22.08.2025

drl



CrI.O.P.No.23412 of 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.

To

- 1.The Judicial Magistrate No.I,
Kallakurichi
- 2.The Station House Officer,
Kallakurichi Police Station,
Kallakurichi District.
- 3.The Sub Jail, Kallakurichi.
- 4.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.23412 of 2025

Dr.G.JAYACHANDRAN, J.

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Crl.O.P.No.23412 of 2025

22.08.2025