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Crl.O.P.No.23946 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

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

Crl.O.P.No.23946 of 2025

Ashok Kumar

... Petitioner

Vs.

State rep by:-

The Inspector of Police,
Sipcot Police Station,
Krishnagiri District.
(Crime No.312 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending investigation in Crime No.312 of 2025 on the file of the respondent police.

For Petitioner : Mr.P.M.Jayachandran

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

ORDER

The petitioner herein, who was arrested and remanded to judicial custody on 30.07.2025 for offence punishable under Sections 123 of BNS, 2023 and



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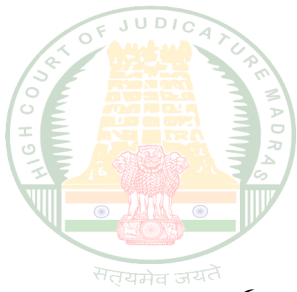
Sections 7, 20(1) of COTPA Act and Section 4(1)(C) of TNP Act, in Crime No.312 of 2025, registered on the file of the respondent police and seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 200 kgs of banned tobacco products and 6½ liters of Karnataka State liquor while transporting the same in a car bearing Registration No.TN 38 CA 9621 for selling purpose. Hence, the case.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the petitioner has one previous case of a similar nature and the value of the contraband seized in the present case is approximately Rs.25,000/-.

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

5. Considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail on depositing a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** in the account pertaining to **Crime No.312 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.II, Hosur**;

[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]**;

Dr.G.JAYACHANDRAN, J.

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[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.

To

1.The Judicial Magistrate No.II, Hosur.

2.The Sub Jail, Hosur.

3.The Inspector of Police,
Sipcot Police Station,
Krishnagiri District.

4.The Public Prosecutor,
High Court of Madras.

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