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Crl.O.P.No.24290 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2025

CORAM

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

Crl.O.P.No.24290 of 2025

Shankar

... Petitioner

Vs.

State rep by:-

The Inspector of Police,
Paradarami Police Station,
Paradarami, Vellore District.
(Crime No.121 of 2025)

... Respondent

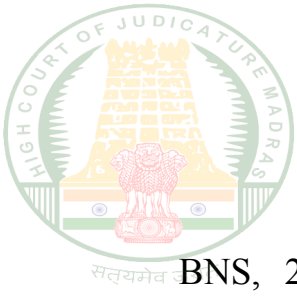
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending investigation in Crime No.121 of 2025 on the file of the Inspector of Police, Paradarami Police Station, Paradarami, Vellore.

For Petitioner : Mr.G.Vinodhkumar

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.07.2025, for the offence punishable under Sections 7(5), 20(2) of Cigarette and Other Tobacco Products Act, 2003 read with Section 123 of



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BNS, 2023, in Crime No.121 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner, who is the owner of the petty shop, was found in possession of 2 kgs of banned tobacco products kept for sale. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a small petty shop owner and he has not involved any crime as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, opposed the grant of bail to the petitioner, stating that the petitioner is involved in 8 previous cases of a similar nature, in which he has admitted the guilt and paid fine.

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

6. Considering the nature of the offence, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on **depositing a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in the account pertaining to Crime No.121 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, Gudiyatham;**

[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 10.30 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



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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]**;

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

04.09.2025

rpl

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, Gudiyatham.
- 2.The Inspector of Police, Paradarami Police Station, Paradarami, Vellore District.
- 3.The Central Prison, Vellore.
- 4.The Public Prosecutor, High Court of Madras.

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