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Crl.O.P.No.24278 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.24278 of 2025

Saravanan

... Petitioner

Vs.

State rep.by:
The Inspector of Police,
Veerapandi Police Station,
Tiruppur.
(Crime No.390 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with Crime No.390 of 2025 on the file of the Veerapandi Police Station, Tiruppur.

For Petitioner : Ms.S.Vasavisridevi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2025, for the offence punishable under Sections 123 of BNS, 2023



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and Section 22(a) of Cigarette and Other Tobacco Products Act, 2003, in Crime No.390 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner herein was found in possession of 730 kgs of banned tobacco products. Hence the present complaint.

3. The learned counsel appearing for the petitioner submitted that till date, the respondent police have not filed the final report. He further submitted that the co-accused has already been granted bail by this Court. Therefore, the petitioner seeks similar relief on the grounds of parity.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, opposed the grant of bail to the petitioner and submitted that this Court had earlier dismissed the bail petition filed by the petitioner, taking into consideration the antecedents of the petitioner, who involved in two similar cases.

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

6. Considering the change of circumstances projected by the



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learned counsel for the petitioner, particularly the fact that even after lapse of 60 days, the final report has not been filed and the maximum punishment for the alleged offence is only 3 years, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on **depositing a sum of Rs.50,000/- (Rupees Fifty Thousand only) in the account pertaining to Crime No.390 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate IV, Tiruppur;**

[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**



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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.

04.09.2025

rpl

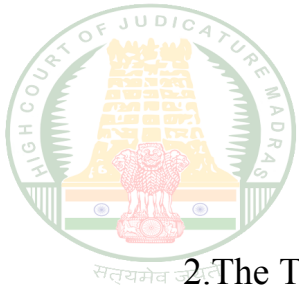
Note :

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 IV, Tiruppur.

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2. The The Inspector of Police,
Veerapandi Police Station,
Tiruppur.

3. The Central Jail, Coimbatore.

4. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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