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Crl.O.P.No.24270 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.24270 of 2025

Krishnakumar

... Petitioner

Vs.

State by:

The Inspector of Police,
Selvapuram Police Station,
Coimbatore District.
(Crime No.226 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused 2 on bail in Crime No.226 of 2025 pending investigation on the file of the Inspector of Police, Selvapuram Police Station, Coimbatore District.

For Petitioner : Mr.S.Ramesh

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.07.2025, for the offence punishable under Sections 24(1) of Cigarette



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and Other Tobacco Products Act, 2003 and Section 123 of BNS, 2023, in Crime No.226 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner herein, who is running a petty shop, was found in possession of 1.520 kgs of banned tobacco products. Hence the present complaint.

3. The learned Government Advocate (CrI.Side) appearing for the respondent police, opposed the grant of bail to the petitioner and submitted that the petitioner has two previous cases pending against him and he is a habitual offender.

4. The learned counsel appearing for the petitioner submitted that he is only a petty shop owner and the supplier, who is A1 in this case, has already been released on bail and sought parity in releasing the petitioner on bail.

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

6. Considering the submissions made on either side, 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.226 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.5, Coimbatore;**

[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



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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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 of B.N.S.

04.09.2025

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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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To

- 1.The Judicial Magistrate No.5, Coimbatore.
- 2.The Inspector of Police, Selvapuram Police Station, Coimbatore District.
- 3.The Central Prison, Coimbatore.
- 4.The Public Prosecutor, High Court of Madras.