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Crl.OP.No.24137 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24137 of 2025

Arunkumar

... Petitioner

-VS-

The State rep by,
The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
(Crime No.321 of 2025)

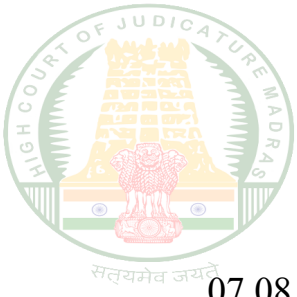
... Respondent

PRAYER: Criminal Original Petition has been filed under Section 483 of BNSS Act / 439 of Cr. P.C, pleaded to enlarge the Petitioner on bail in Crime No.321 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

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

ORDER



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The Petitioner, who was arrested and remanded to judicial custody on 07.08.2025 for the alleged offences punishable under Sections 281, 275, 123 of BNS, 2023 and Sections 6(b), 20(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 4(1)(A) of TNP (Amendment) Act in Crime No.321 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that the petitioner seized Gunny bag (10 Nos.) containing Vimal Gutka (each packet containing 2.5 grams), Gunny bag (10 Nos.) containing 5.460 kgs of VI Tobacco (each packet containing 0.35 grams), Gunny bag (18 Nos.) containing Hans (each packet containing 0.20 grams), 96 packets of XXX Rum (each packet containing 90 ml.) without proper permission. Hence this case.

3. The learned counsel for the Petitioner submitted that the Petitioner have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of bail.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner seized 314.460 kgs of banned tobacco products without proper permission and one previous case is pending against the petitioner. He would also submit that if he is released on bail, he would hamper the investigation and tamper the witnesses.



However, he would vehemently opposed to grant bail to the Petitioner.

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5. Considering the facts and circumstances and also the fact and considering the period of incarceration undergone by the Petitioner, this Court is inclined to grant bail to the Petitioner with certain conditions.

6. Accordingly, the Petitioner is directed to **deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the Tamil Nadu Advocate Clerk Association, Chennai**, and on such deposit, the Petitioner is ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (**one blood surety**), for a like sum to the satisfaction of the *learned Judicial Magistrate No.I, Hosur*, and on further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the Petitioner shall report before the respondent police on an alternative days at 10.30 a.m. for the period of three months;

(c) the Petitioner shall not tamper with evidence or



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witness either during investigation or trial;

(d) the Petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the Petitioner in accordance with law as if the 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) AIR SCW 5560]*; and;

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.09.2025

rna

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

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this Court will be watermarked and will also have a QR code.

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To

- 1.The learned Judicial Magistrate No.I, Hosur,
- 2.The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
- 3.The Superintendent of Prison,
Sub Jail, Hosur.
- 4.The Public Prosecutor,
High Court, Madras



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T.V.THAMILSELVI, J.

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