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Crl.O.P.No.24192 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

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

Crl.O.P.No.24192 of 2025

T.Gowtham

... Petitioner

Vs.

State Rep. by:

The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
(Crime No.331 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.331 of 2025 on the file of the respondent police.

For Petitioner : Mr.J.Pradeep

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.08.2025, for the offence punishable under Sections 281, 275 and 123 of BNS r/w Sections 6(b), 20(1) of COPTA Act, 2003 and Section 4(1)(A) of TNP Act, in Crime No.331 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that, during a vehicle check up, the petitioner along with other accused persons was found in possession of 2.016 kgs of banned tobacco products and 2.430 litres of Karnataka State liquor. Hence, the case.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed for the grant of bail to the petitioner stating that the contraband as well as the vehicle in which the contraband was transported bearing Registration No.TN 73 BZ 8492 were seized. He further submitted that the petitioner has one previous case against him under the IPC offence.

4. Considering the period of incarceration already undergone by the petitioner and the fact that the contraband seized from the petitioner is less than Rs.25,000/-, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on **depositing a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) in**



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the account pertaining to Crime No.331 of 2025. The said amount shall stand forfeited if the petitioner is found guilty after trial. 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.I, Hosur**, and on further conditions that:

[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



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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.

03.09.2025

drl

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.I,
Hosur.

2.The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.

3.The Superintendent,
Sub Jail, Hosur.

4.The Public Prosecutor,
High Court of Madras.

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Dr.G.JAYACHANDRAN, J.

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