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CRL OP No. 24862 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24862 of 2025

1. ELAIYAKUMAR

S/O Ramsamy, D.No.1810/A,
Kottampalayam Village, Vengikkal
Post, Thiruvannamalai Taluk and
District.

Petitioner(s)

Vs

1. State Rep By, The Inspector of Police
Hudco Police Station, Krishnagiri
District, Crime No.244 of 2025

Respondent(s)

PRAYER

To enlarge the petitioner on bail in Crime No.244 of 2025 on the file of the
Inspector of Polie, HUDCO Police Station, Krishnagiri District

For Petitioner(s): S.Silambu Selvan



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CRL OP No. 24862 of 2025



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

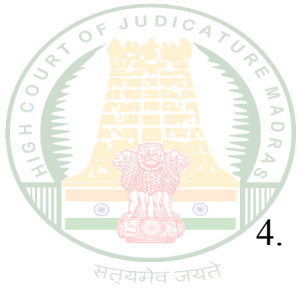
ORDER

Today, the matter is listed under the caption "for being mentioned", at the instance of the learned counsel for the petitioner.

2. Mr.S.Silambu Selvan, learned counsel appearing for the petitioner and Mr.A.Gopinath, learned Government Advocate (Crl.Side) appearing for the respondent are present.

3. It is brought to the notice of this Court that some error has been crept in paragraph No.6 of the order dated 08.09.2025. The said paragraph No.6 is to be replaced as follows:

" 6. Accordingly, the petitioner is directed to deposit a sum of Rs.20,000/- as non-refundable deposit to the credit of registered Advocates Clerks Association, **Krishnagiri**, 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, in which one surety must be a blood surety for a like sum to the satisfaction of the Judicial Magistrate No.II, Hosur, and on further conditions that:"



4. Registry is directed to incorporate the above paragraph No.6 quoted above and issue fresh order copy to the parties forthwith.

5. In other respects, the order dated 11.09.2025 shall remain unaltered.

17-09-2025

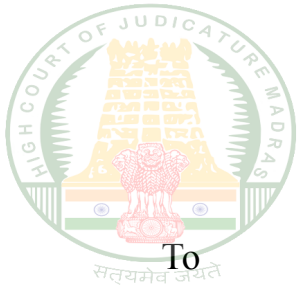
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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- 1.State Rep By,
The Inspector of Police
Hudco Police Station, Krishnagiri
District, Crime No.244 of 2025.
- 2.The Judicial Magistrate No.II, Hosur.
- 3.The Inspector of Police, Hudco Police
Station, Krishnagiri District.
- 4.The Sub-Jail, Hosur.
- 5.The Public Prosecutor,
High Court of Madras.



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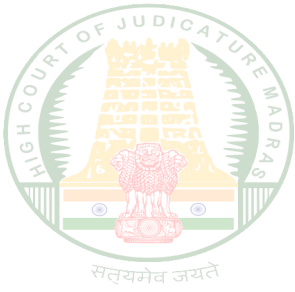
CRL OP No. 24862 of 2025



T.V.THAMILSELVI J.
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**CRL OP No. 24862 of
2025**

17.09.2025



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CRL OP No. 24862 of 2025

1. ELAIYAKUMAR
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CRL OP No. 24862 of 2025

PRAYER

To enlarge the petitioner on bail in Crime No.244 of 2025 on the file of the
Inspector of Polie, HUDCO Police Station, Krishnagiri District

CRL OP No. 24862 of 2025

For Petitioner(s): S.Silambu Selvan
S.A.Palaninathan



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CRL OP No. 24862 of 2025



A.Mir Hassan Abbas
Y.Mohammed Ali
A.Suganya

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

ORDER

This petition has been filed to enlarge the petitioner on bail in Crime No.244 of 2025 on the file of the Inspector of Police HUDCO Police Station, Krishnagiri District.

2. The respondent police found the petitioner with the possession of 44.500 kgs of banned Tobacco Products and 5 liters of Karnataka liquor and was arrested on 07.08.2025. The value of the Tobacco Products is around Rs.24,000/- and the value of the liquor is Rs.3,360/-. Hence, FIR was registered under Sections 6 r/w 20(1) of COTPA Act, and Section 123 of BNS 2023 (328 of IPC), r/w Section 4(1)(a) of TNP Act and remanded the petitioner to judicial custody on 07.08.2025.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and no way connected with this case. Hence, he prays to allow this petition.



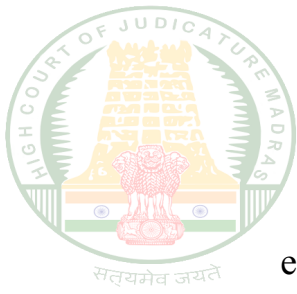
4. The learned Government Advocate submits that the petitioner is having previous cases. Hence, he prays to dismiss this petition.

5. Considering the period of incarceration undergone by the petitioner and also the fact that investigation is almost completed. Hence, 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.20,000/- as non-refundable deposit to the credit of registered Advocates Clerks Association, Hosur**, 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, **in which one surety must be a blood surety** for a like sum to the satisfaction of the ***Judicial Magistrate No.II, 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 alternative days at 10.30 a.m. for the period of three months.



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(c) the petitioner shall not tamper with evidence or 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;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

08-09-2025

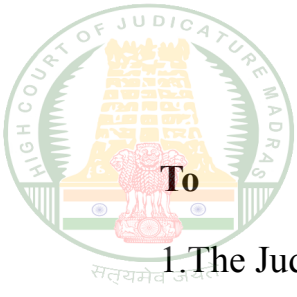
Index: Yes/No

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Internet: Yes

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To

1.The Judicial Magistrate No.2, Hosur.

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

3. The Sub Jail, Hosur.

4.The Public Prosecutor, High Court, Madras

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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T.V.THAMILSELVI J.

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2025**

11-09-2025