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CRL OP No. 24478 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08-09-2025**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL OP No. 24478 of 2025**

Balaji  
S/o.Srinivasan,  
NO.1/24, Pillaiyar Koil Street,  
Sekkanurpettai, Sekkanoor, Usoor,  
Anaicut Taluk, Vellore District  
Tamilnadu

Petitioner(s)

Vs

State rep by  
the Inspector of Police  
Ariyur Police Station, Vellore District,  
Tamilnadu Cr.No.150/2025

Respondent(s)

**CRL OP No. 24478 of 2025**

**PRAYER**

To enlarge the petitioner on bail in Cr.No.150/2025 pending investigation on the file of the respondent



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For Petitioner(s): Mr. E.Kannadasan

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

### **ORDER**

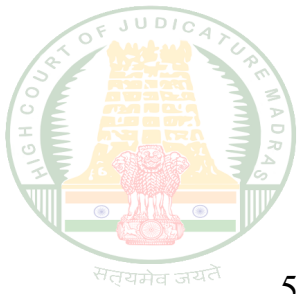
The petitioner, who was arrested and remanded to judicial custody on 24.08.2025 for the alleged offence under Sections 7(5), 20(2) of Cigarette and other Tobacco Products Act, 2003 and Sec. 275, 123 of BNS in Crime No.150 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 24.08.2025, while the respondent police and other police personnel were on routine patrol duty for prohibition of selling of banned tobacco items and they were proceeded towards Usoor, Sekkanurpet, near the petitioner's bunk shop, but on seeing them, he tried to escape from the place and they caught hold of him. On search, they said to have found that the petitioner said to have carried banned tobacco products illegally without any valid license for the purpose of selling the same and they said to have recovered (1) 150 packets of hans (each packet containing 3 grams) totally weighing about 20 grams and worth about Rs.1,200/- (2) 75 packets of Cool Lip (each packet containing 6.84 grams) totally weighing about 0.513 grams and worth about Rs.1,275/-. Totally weighing about 3.513 grams and worth about of Rs.2,475/- of banned tobacco products and the same was seized by them. Hence, the complaint was registered against the petitioner.



3. The learned counsel appearing for petitioner submitted that he has an innocent person, he is no way connected with the offence and he has not committed any of offence as alleged by the respondent police. He would also submit that he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. He would also submit that the petitioner has been suffering incarceration for more than 15 days from 24.08.2025. On instruction, he would further submit that without prejudice to his right and contentions, he is prepared to deposit/pay some considerable amount. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that while the respondent police were on their patrol duty, they intercepted the petitioner and on search, they found that the petitioner was involved in selling prohibited tobacco products. He would submit that there are two previous cases pending against him, in which, one case is ended in conviction and in another case, final report was filed. He would also submit that if he is released on bail, he would hamper the investigation and tamper the witnesses and the investigation is almost completed. However, he would vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances and the fact that the investigation is almost completed, no previous case pending against him and on considering the period of incarceration undergone by the petitioner from 24.08.2025 for more than 15 days, 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.10,000/- (Rupees ten thousand only) as non-refundable deposit to the credit of registered Advocates Clerks Association, Vellore** 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.I, Vellore*, 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 269 of BNS.

**08-09-2025**

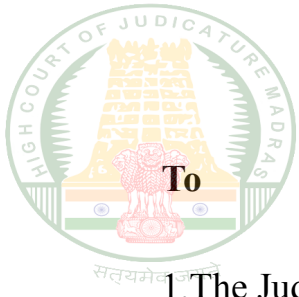
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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**To**

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1. The Judicial Magistrate No.I, Vellore.
2. The Inspector of Police, Ariyalur Police Station, Vellore.
3. The Superintendent of Prison, Central Prison, Vellore.
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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