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Crl.O.P.No.24892 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2025

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24892 of 2025

Mr.Khajamohaideen

... Petitioner

Vs.

State rep by:-

The Inspector of Police,
B-2, Shevapet Police Station.
(Crime No.334 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in Crime No.334 of 2025 on the file of the respondent police, Inspector of Police, B-2, Shevapet Police Station, Salem.

For Petitioner : Mr.V.S.Senthilkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.08.2025 for the alleged offence under Sections 77 of JJ Act, 2015 and 6, 24(1) of COTPA Act, 2003 in Crime No.334 of 2025, on the file of



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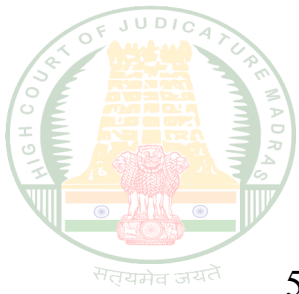
respondent police, seeks bail.

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2. The case of the prosecution is that on secret information, the respondent police found that the petitioner was in illegal possession of 94.500 kgs of banned tobacco. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has been suffering incarceration from 10.08.2025. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that 94.500 kgs of banned tobacco were seized from the petitioner. He further submitted that there is no previous case pending against the petitioner.



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5. Taking into consideration the facts and submissions made by both counsels and also 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.10,000/- (Rupees Ten Thousand Only) as non-refundable deposit to the credit of Advocates Clerks Association, Salem,** and on such deposit, the petitioner is ordered to be released on bail on executing a bond 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 *learned Judicial Magistrate No.III, Salem,* 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 every Saturday at 10.30 a.m., for a period of eight weeks.



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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 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 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.

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To

- 1.The Judicial Magistrate No.III, Salem.
- 2.The Inspector of Police,
B-2, Shevapet Police Station.
- 3.The Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of 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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