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Crl.O.P.No.26570 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26570 of 2025

1. Vasudev Biswas
2. Vishal Mandal
3. Jeganath

... Petitioners/ A1 to A3

Vs

The State rep. by,
The Inspector of Police,
K-2, Ayyanavaram Police Station,
Chennai.
(Crime No.322 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.322 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. C.V. Kumar

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



ORDER

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The petitioners, who were arrested and remanded to judicial custody on 19.08.2025 for the offences punishable under Sections 6(a) and 24(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.322 of 2025, registered on the file respondent police, seek bail.

2. The case of the prosecution is that based on an information, the respondent police went to the spot and found that the petitioners were in illegal possession of banned 327 packets of Gutka totalling to 3.800 kilograms and also involved in selling the same to minor children. Hence, this case.

3. The learned counsels appearing for the petitioners submitted that the petitioners were falsely implicated in this case and the petitioners were in custody since 19.08.2025 and the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that the petitioners herein are arrayed as A1 to A3; that they are hailing from the state of Madhya Pradesh and have no previous antecedents; and that the investigation is pending.

5. Considering the facts of the case, the petitioner have no previous antecedents, the contraband were seized and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned V Metropolitan Magistrate, Egmore, Chennai** and on further conditions that:

[a] 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,



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2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report the respondent police daily at 10:30 a.m., until further orders;

[c] 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 the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[d] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

26.09.2025

stn

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



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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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To

1. The V Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
K-2, Ayyanavaram Police Station,
Chennai.
(Crime No.322 of 2025)
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

stn

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