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Crl.O.P.No.26336 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.26336 of 2025

Kalaivanan

... Petitioner

Vs

The State rep. by,
Sub Inspector of Police,
Thirukuvalai Police Station,
Nagapattinam - 610204
(Crime No.86 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.86 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.J. Jawahar

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



ORDER

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2. The case of the prosecution is that based on a secret information, the respondent police went to the spot and found that the petitioner was in possession of 94.5 kgs of Hans, 1.200 kg of Cool Lip Filter Tobacco which are banned tobacco products. Hence a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the



prosecution case and submitted that there is no previous case pending against the petitioner.

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5.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and the fact that there is no previous case pending against the petitioner, this Court is inclined to grant bail to the petitioner herein with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each** for a like sum to the satisfaction of the Judicial Magistrate Thirukkuvalai 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, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.**

[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



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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.

24.09.2025

smn

To

1. The Sub Inspector of Police,
Thirukuvalai Police Station,
Nagapattinam – 610204.
2. The Judicial Magistrate Thirukkuvalai
3. The Superintendent, Central Prison, Thirukkuvalai
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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