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Crl.O.P.Nos.26778 and 26785 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **26-09-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NOS.26778 and 26785 of 2025

1. Veerappan ... Petitioner in Crl.O.P.No.26778 of 2025/ A1

2. Muhamed Ansari ... Petitioner in Crl.O.P.No.26785 of 2025/ A3

Vs

The State rep. by,
The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.456 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.456 of 2025 on the file of the respondent police.

For Petitioner in Crl.O.P.No.26778 of 2025 : M/s. V. Venvizhi

For Petitioner in Crl.O.P.No.26785 of 2025 : Mr. A.M. Rahamath Ali

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



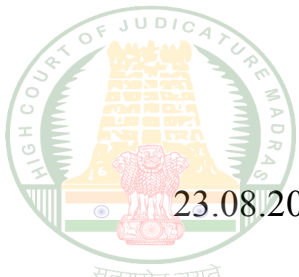
ORDER

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The petitioners, who were arrested and remanded to judicial custody on 23.08.2025 for the offences punishable under Section 123 of BNS and Section 24(1) of COTPA Act, 2003 in Crime No.456 of 2025, registered on the file respondent police, seek bail.

2. The case of the prosecution is that the first petitioner herein/ A1 is running a petty shop in his native village; that while the respondent police conducted raid in his shop, they found that the petitioner was in illegal possession of 330 packets of Hans @ Gutka each containing 20 grams in his shop for the purpose of sales; that on his confession statement, further 5250 packets of Hans @ Gutka each containing 20 grams were seized from the house of A2, who confessed that the second petitioner herein/ A3 had supplied the tobacco products. Hence, this case.

3. The learned counsels appearing for the petitioners submitted that the petitioners were falsely implicated in this case and the contraband recovered from first petitioner/ A1 and there is no seizure from second petitioner/ A3. He also submitted that the petitioners were in custody since



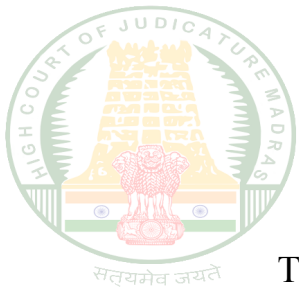
23.08.2025 and the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.

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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 and A3 respectively; that A1 and A3 has previous antecedents of similar nature; that A3 is the supplier of contraband, that A1 and A2 procured the same from A3 for the purpose of illegal sales; and that the investigation is pending.

5. Considering the facts of the case 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.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Ulundurpet** and on further conditions that:



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[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;

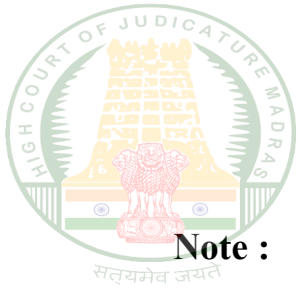
[b] the petitioners shall report the respondent police daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[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 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

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Note :

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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.

To

1. The Judicial Magistrate No.II,
Ulundurpet.
2. The Inspector of Police,
Thirunavalur Police Station,
Kallakurichi District.
(Crime No.456 of 2025)
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

stn

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