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Crl.O.P.No.2894



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **25.10.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.28940 of 2025

1.N.Praveen Kumar
2.N.Prakash Kumar
3.D.Dilipsing

... Petitioners

-VS-

State Rep by,
The Inspector of Police,
Mandharakuppam Police Station,
Cuddalore District.
(Crime No.138 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to
enlarge the petitioners on bail in Crime No. 138 of 2025 on the file of the
respondent police.

For Petitioners : Mr.M.Arumugam

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



ORDER

The petitioners, who were arrested and remanded to judicial custody on 14.08.2025, for the alleged offence punishable under Sections 123, 286, 336(2), 336(3), 340(2) of BNS r/w.24(1) & 6 (b) of COTPA Act-2003 in Crime No.138 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioners is that they along with other accused involved in transportation of 280 kgs of banned tobacco products from other states. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are in custody from 14.08.2025 and they are not having any previous cases and co-accused also released on bail in Crl.O.P.No.23892 of 2025 dated 29.08.2025. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reported that the petitioners were found in possession of 280 kgs of banned tobacco products and they are not having any previous cases and the property also recovered. He further submitted that investigation in this case is not concluded and hence, he opposed for grant of bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.



6. Considering the fact that the petitioners are arrested on 14.08.2025 and co-accused was granted bail by this Court in Crl.O.P.No.23892 of 2025 dated 29.08.2025 and considering that the petitioners are not having any previous cases, I am inclined to grant bail to the petitioners, subject to certain conditions.

7. 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 District Munsif Cum Judicial Magistrate, Neyveli, Cuddalore District.*, 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 petitioners 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] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with the evidence or witness 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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];

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

25.10.2025

mpa

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.



To

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- 1.The District Munsif Cum Judicial Magistrate, Neyveli, Cuddalore District.
- 2.The Inspector of Police,
Mandharakuppam Police Station,
Cuddalore District.
- 3.The Superintendent of Police,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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