



Crl.O.P.No.27110 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **03.10.2025**

CORAM

THE HON'BLE MR. JUSTICE **N.SENTHILKUMAR**

Crl.O.P.No.27110 of 2025

Mahendra

... Petitioner / Accused

-VS-

State Rep. By
The Inspector of Police,
Kilampakkam Police Station.
(Crime No.185 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioner on bail in Crime No.185 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Thirugnanam

For Respondent : Mr.V.J.Priyadarsana,
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.09.2025, for the alleged offence punishable under Sections 123, 3(5) of BNS, 2023 and 24(1) of the COTPA Act, 2003 in Crime No.185 of 2025, on the file



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of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner has been intercepted by the respondent police where the petitioner was found in possession of prohibited tobacco products totally weighing 231 kgs and the case properties have been seized. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and he is in judicial custody from 04.09.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner was in possession of 231 kgs of prohibited tobacco products. Therefore, he opposed for grant of bail to the petitioner.

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



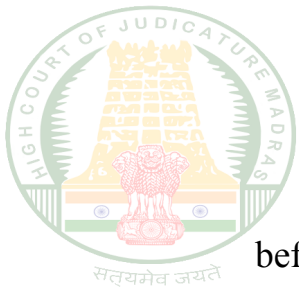
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6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the *learned Judicial Magistrate No.I, Tambaram*, 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 is directed to deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** as non-refundable deposit either through RTGS/NEFT/cash/demand draft in favour of the **Dean, Rajiv Gandhi Government General Hospital, Chennai, bearing A/c. No.10273425961, State Bank of India, Park Town (Chennai), 68, Evening Bazaar Road, Chennai, IFSC:SBIN0001856**, without prejudice to his defence



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before the trial Court and the learned Judicial Magistrate, after perusing the challan/receipt, shall accept the sureties furnished by the petitioner;

[c] the petitioner shall report before the concerned Judicial Magistrate at 10.30 a.m on every Monday to Friday and appear before the respondent police at 10.30 a.m on every Saturday and Sunday until further orders;

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[f] On breach of any of the aforesaid conditions, the learned 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 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];

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



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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 official website of this Court will be watermarked and will also have a QR code.

To

- 1.The learned Judicial Magistrate No.I,
Tambaram.
- 2.The Inspector of Police,
Kilampakkam Police Station.
- 3.The Superintendent of Police,
Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.

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