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Crl.OP.No.27104 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.27104 of 2025

Vijayakumar

... Petitioner

Vs.

State Rep by
The Inspector of Police,
D4, Kuniyamuthur Police Station,
Coimbatore District..
(Cr.No.674 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned
in Cr.No.674 of 2025 pending on the file of the respondent

For Petitioner : Mr.M.N.Balakrishnan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
18.09.2025 for the alleged offence under Sections 123 of BNS, 2023 and
Section 6(b), 24(1) of Cigarette and other Tobacco Products Act, 2003 in
Crime No.674 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in



possession of 80 kgs of banned tobacco products. Hence, the case.

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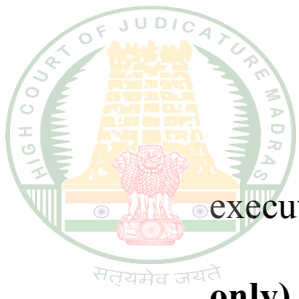
3. The learned counsel appearing for the petitioner submitted that the petitioner is a disabled person. The petitioner is in judicial custody from 18.09.2025. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by the this Court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is having one previous case of similar nature. Hence, he opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by both counsel, there is one previous case as against the petitioner, the banned contraband was seized and the petitioner is in custody from 18.09.2025, I am inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his



executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned**

Judicial Magistrate Court-II, Coimbatore 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 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 absconds, a fresh FIR



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can be registered under Section 269 of B.N.S.

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Vv

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

1. The **Judicial Magistrate Court-II, Coimbatore**
2. The Inspector of Police,
D4, Kuniyamuthur Police Station,
Coimbatore District..
3. The Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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