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Crl.O.P.No.27147 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.27147 of 2025

Vinoth Kumar @ Elumalai

... Petitioner / Accused-1

-VS-

State Rep. By
The Inspector of Police,
P 4, Basin Bridge Police Station,
Chennai.
(Crime No.457 of 2025)

... Respondent

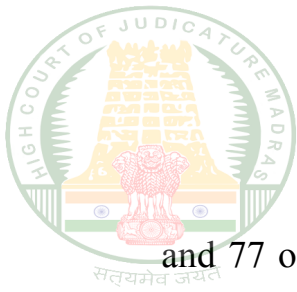
PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioner on bail in Crime No.457 of 2025, pending investigation on the file of the respondent police.

For Petitioner : Mr.B.Jawahar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.09.2025, for the alleged offence punishable under Sections 123 of BNS Act



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and 77 of JJ Act and 24(1) of COTPA Act, in Crime No.457 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 1.278 grams of banned tobacco products and 600 grams of maava. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner, aged 24 years, 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 05.09.2025 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 is having nine previous cases pending against him. However, he opposed for grant of bail to the petitioner.



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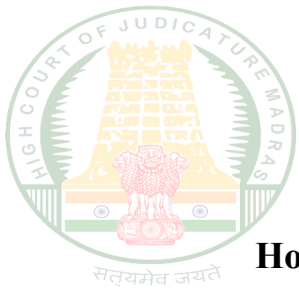
5. Heard both sides and perused the materials available on record including the First Information Report.

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 **X Metropolitan Magistrate Court, Egmore, Chennai** 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**



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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 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];



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[g] If the accused thereafter absconds, a fresh FIR can be

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registered under Section 269 B.N.S.

03.10.2025

drl/rna

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 X Metropolitan Magistrate Court,
Egmore, Chennai.
- 2.The Inspector of Police,
P 4, Basin Bridge Police Station,
Chennai.
- 3.The Superintendent of Police,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

N.SENTHILKUMAR, J.



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