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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.10.2025

CORAM

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

Crl.O.P.No.27189 of 2025

Kishan

... Petitioner

Vs.

State Rep by,
Inspector of Police,
Kaveripakkam Police Station,
Ranipet District.
(Crime No.325 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., to enlarge the petitioner on bail in Crime No.325 of 2025 pending investigation on the file of the respondent Police.

For Petitioner : Mr.T.Meganathan
For Respondent : Ms.V.J.Priyadarsana
Government Advocate(Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.09.2025, for the alleged offence punishable under Sections 7(5), 20(2) of Cigarette and other Tobacco Products Act, 2003 r/w Section 123 of BNS, 2023, in Crime No.325 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner was found in possession of 571 kgs of banned tobacco products. Hence, the case.

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 07.09.2025 and is ready to abide by any conditions that may be imposed by this Court. He further submitted that the petitioner, without prejudice to their rights, are ready to deposit a sum of Rs.50,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.

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



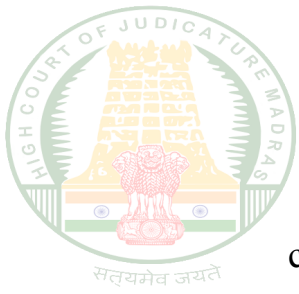
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6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and also considering the nature of offence, this Court is inclined to grant bail to the petitioner, subject to certain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

7. Accordingly, the petitioner is ordered to be released on bail on their 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 **District Munsif Cum Judicial Magistrate No.I, Walaja** 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 are directed to deposit a sum of **Rs.50,000/-** (Rupees Fifty 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 before the trial Court and the learned Judicial Magistrate, after perusing the



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challan/receipt, shall accept the sureties furnished by the petitioner;

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

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

[e] the petitioner shall not tamper with 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.

03.10.2025

sma/kmm

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**



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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 District Munsif Cum Judicial Magistrate No.I, Walaja.
2. The Inspector of Police,
Kaveripattinam Police Station,
Ranipet District.
3. Sub Jail, Walaja, Vellore.
4. The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.

sma/kmm

Crl.O.P.No.27189 of 2025

Dated: 03.10.2025