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Crl.O.P.No.27150 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.27150 of 2025

1.Rasheed Ahmed

2.Khaja Shareef

3.Aslam Sharif

... Petitioners

Vs.

The State represented by,
The Sub Inspector of Police,
Pernambut Police Station,
Vellore District.
(Crime No. 264 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
2023 to enlarge the petitioners on bail in Crime No.264 of 2025 pending
investigation on the file of the respondent police.

For Petitioners : Mr.T.Muruganantham

For Respondent : M/s.V.J.Priyadarsana
Government Advocate (Crl.Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 10.09.2025, for the alleged offences punishable under Sections 7(5) and 20(2) of Cigarette and other Tobacco Products Act, 2003 read with Section 111, 123, 274, 275 of BNS (New Section 328, 272, 273 of IPC) in Crime No.264 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners was found in possession of 1,221.5 kgs of banned tobacco products. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that the petitioners have been in judicial custody from 10.09.2025. He further submitted that the petitioners, without prejudice to their rights, are ready to deposit a sum of Rs.1,00,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate for the respondent reiterated the



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prosecution case and 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 submissions of the learned counsel on either side and the period of incarceration undergone by the petitioners, and also taking into account the undertaking given by the petitioners, this Court is 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Gudiyatham** 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 are directed to deposit a sum of **Rs.1,00,000/-** (Rupees One Lakh only) as non-refundable



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

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

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

[e] the petitioners 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 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]***;

[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.**

N.SENTHILKUMAR,J.



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To

1. Judicial Magistrate, Gudiyatham
2. The Sub Inspector of Police,
Pernambut Police Station,
Vellore District.
3. The Superintendent,
Central Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

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