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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.27440 of 2025

1. Lavkush
2. Vikash Maurya
3. Ashish Hallan

... Petitionerss

Vs.

The State rep. by
The Inspector of Police,
B-2, Esplanade Police Station,
Chennai District.
(Crime No.259 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., to
enlarge the petitioners on bail in Crime No.259 of 2025 pending investigation
on the file of the respondent Police.

For Petitioners : Mr.R.Mukeshkannah

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



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ORDER

The petitioners, who was arrested and remanded to judicial custody on 12.09.2025, for the alleged offence punishable under Sections 132, 123 of BNS Act read with Section 24(1), 6(b) of the COTPA Act in Crime No.259 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners were found in possession of 25.572 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 further submit that the petitioners were arrested and are in judicial custody from 12.09.2025 and are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

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



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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 petitioners, and also considering the nature of offence, 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) individually with two sureties, each for a like sum to the satisfaction of the learned **VII Metropolitan Magistrate, George Town, 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 petitioners shall report before the respondent police daily at 10.30.a.m., until further orders;



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

[d] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[e] 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];

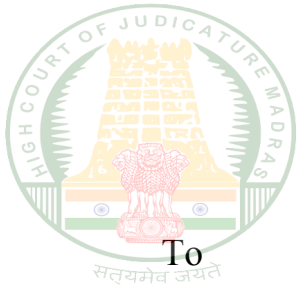
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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 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

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1. The VII Metropolitan Magistrate, George Town, Chennai.
2. The Inspector of Police,
B-2, Esplanade Police Station,
Chennai District.
3. Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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N.SENTHILKUMAR, J.

sma/kmm

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