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Crl.O.P.No.28654 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2025

CORAM

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.28654 of 2025

Parvez Ahmed

... petitioner

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 petitioner on bail in Crime No.264 of 2025 pending
investigation on the file of the respondent police.

For petitioner : Mr.A.Vijaya Kumar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.09.2025, for the alleged offences punishable under Sections 7(5) and 20(2) of Cigarette and other Tobacco Products Act, 2003 and 111, 123, 274, 275 of BNS Act 2023 in Crime No.264 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 1,221.5 kgs of banned tobacco products. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent persons and he has been falsely implicated in this case. He would submit that the petitioner has been in judicial custody from 11.09.2025. He further submitted that the petitioner, without prejudice to their rights, are ready to deposit a sum of Rs.20,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate for the respondent reiterated the prosecution case and reported that co-accused in this case were granted bail by this Court in Crl.O.P.No.27150 of 2025 dated 03.10.2025. However, he opposed for grant of bail to the petitioner.

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 also taking into account that co-accused released on bail with condition, this Court is inclined to grant bail to the petitioner, subject to very conditions imposed on co-accused.

7. Accordingly, the petitioner are ordered to be released on bail on their executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Gudiyatham, Vellore District**, and on further conditions that:-



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[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.20,000/-** (Rupees Twenty 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 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



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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.

24.10.2025

mpa

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.**



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K. RAJASEKAR,J.

mpa

To

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

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24.10.2025