



Crl.O.P.No.29108 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.29108 of 2025

1.Manikandan
2.Gurusamy

... Petitioners

Vs.

The State represented by
The Inspector of Police,
SIPCOT Police Station,
Krishnagiri District.
(Crime No.354 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners/Accused on bail
in Crime No.354 of 2025 on the file of the respondent police.

For petitioners : Mr.Devaraj Mahesh

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



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ORDER

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The petitioners were arrested and remanded to judicial custody on 28.08.2025, for the offence punishable under Section 123 of BNS Act and Sections 7, 20(1) of COTPA Act and Section 4(1)(c) of TNP (Amendment) Act, in Crime No.354 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners were found in possession of 86 kgs of banned tobacco products and 6 ½ liters of Karnataka State Liquor. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the investigation is almost complete. He further submitted that the petitioners have been in custody since 28.08.2025. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail, reiterating the prosecution case, and submitted that this Court already dismissed the bail



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application of the petitioners in Crl.O.P.No.25249 of 2025 dated 22.09.2025.

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He further submitted that A1 has one previous case and A2 has two previous cases, and the major part of the investigation is completed

5. Heard both sides and perused the materials available on record.

6. Considering the fact that the earlier bail application of the petitioners was dismissed on the ground that they were found in possession of 86 kgs of banned tobacco products and 6 ½ liters of Karnataka State Liquor, and that they have previous bad antecedents. Now it is stated that a major part of the investigation has been completed and also taking into account the period of incarceration, 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.25,000/- (Rupees Twenty-Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court No.II, Hosur, Krishnagiri District**, and on further conditions that:



[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks, and thereafter as and when required for interrogation;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by



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the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

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

27.10.2025

cda

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 the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate Court No.II,
Hosur, Krishnagiri District.
- 2.The Inspector of Police,
SIPCOT Police Station,
Krishnagiri District.
- 3.The Sub Jail, Hosur, Krishnagiri District.
- 4.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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