



WEB COPY



Crl.O.P.No.28783 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23-10-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.28783 of 2025

Muthuvel

... Petitioner/ A3

Vs

The State rep. by,
The Inspector of Police,
Sunguvarchatram Police Station,
Kancheepuram District.
(Crime No.344 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.344 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. G. Mageshkumar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.09.2025, for the offences punishable under Sections 274, 275, 123 of BNS and Sections 6, 24(1) of COTPA, 2003 and Section 77 of Juvenile Justice Act, 2015 r/w Section 7, 9(ii) of TN Prohibition of Smoking and Spitting Act, 2003 in Crime No.344 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on a secret information, the respondent police went to the spot and found that the petitioner and other accused persons were in illegal possession of 900 kilograms of banned tobacco products worth about Rs.7,25,712/- for the purpose of illegal sales. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 26.09.2025. He further submitted that the co-accused/ Porkodi was granted bail by the learned Principal District & Sessions Judge, vide order dated 16.10.2025 in Crl.M.P.No.1910 of 2025; and that the



petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that there are totally 5 accused involved in this case and the petitioner herein is arrayed as A3; that the petitioner has no previous antecedents; that 900 kilograms of banned tobacco products were recovered from the petitioner and other accused; and that the investigation is not concluded.

5. I have considered the submissions made on both sides and perused the materials available on record. Though the learned counsel for the petitioner submitted that the co-accused was granted bail by the lower Court, the same was granted on considering the fact that the petitioner is a lady and having two school going children, hence the petitioner cannot claim bail on the ground of parity.

K. RAJASEKAR, J.



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6. Considering the facts of this case, huge quantity of contraband involved and taking note of the fact that the investigation is not concluded, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this criminal original petition stands dismissed.

23.10.2025

stn

To

1. The Inspector of Police,
Sunguvarchatram Police Station,
Kancheepuram District.
(Crime No.344 of 2025)
2. The Public Prosecutor,
High Court of Madras.

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