



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 31468 of 2025

Vijay @ Auto Vijay

Petitioner/Sole Accused

Vs

The State Rep by, The Inspector of
Police,
Secretariat Colony Police Station
G-5, Chennai in
Crime No. 352 of 2025.

Respondent

PRAYER Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No. 352 of 2025 pending investigation on the file of the respondent police.

For Petitioner: Mr.N.Mahendra Babu

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 27.10.2025, for the offences punishable under Section 6(a) r/w sec.24(i) Cigarettes and other Tobacco Products (COTPA) Act, and u/s.77 Juvenile Justice (Care and Protection of Children) Act, 2015 in Crime No.352 of 2025, registered on the file respondent police, seeks bail.

2.The allegation against the petitioner is that when the petitioner was selling banned tobacco products viz., Mava to the children, 1.800 kilo grams of Mava was seized from the petitioner by the respondent police. Hence the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not involved in any offence as alleged by the prosecution. He further submits that the petitioner is in custody from 27.10.2025. He further submits 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 (Crl.side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that the banned tobacco products have been recovered from the petitioner. He further submits that the petitioner has no previous case. He further submits that the petitioner has no previous case.

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

6. Considering the fact that the quantity of 1.800 kilo grams of Mava involved as banned tobacco products; that the petitioner has no previous case; and the period of incarceration of the petitioner; I am inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned II Metropolitan Magistrate, Egmore, Chennai**, and on further conditions that:



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[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 petitioner shall appear before respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation.

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

18-11-2025

MSM

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes, Neutral Citation:Yes/No



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 II Metropolitan Magistrate,
Egmore, Chennai.

2. The State Rep by, The Inspector of
Police,
Secretariat Colony Police Station
G-5, Chennai in
Crime No. 352 of 2025.

3. The Superintendent, Central Prison,
Puzhal, Chennai.

4. The Public Prosecutor, High Court, Madras.



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K.RAJASEKAR J.
MSM

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