



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 31477 of 2025

Naveen

Petitioner/A4

Vs

The State Rep by, The Inspector of
Police,
P-4, Basin Bridge Police Station
Chennai
Crime No. 461 of 2025.

Respondent

PRAYER Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No. 461 of 2025 pending investigation on the file of the respondent police.

For Petitioner: Mr.R.Shriharan

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 02.11.2025, for the offences punishable under Section 123 of BNS, 2023; section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015; Section 24(1) of COTPA Act, 2003; Section 25(1)(a) of Arms Act, 1959 in Crime No. 461 of 2025, registered on the file respondent police, seeks bail.

2.The allegation against the petitioner is that the petitioner was found in possession of 20 pockets each containing 20 grams of hans and half feet sword recovered from him. The respondent police then arrested the petitioner and found him to be in possession of 15 pockets each containing of 20 grams of hans. 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 has been falsely implicated based on the confession statement of the co-accused. He further submits that the petitioner is in custody from 02.11.2025. 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 petitioner was found in possession of banned tobacco products. He further submits that investigation is pending and the petitioner has one 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 900 grams involved as banned tobacco products; that three previous cases are pending against the petitioner similar in nature; 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 X Metropolitan Magistrate, Egmore, Chennai**, 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 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.

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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 X Metropolitan Magistrate,
Egmore, Chennai.

2. The State Rep by, The Inspector of
Police,
P-4, Basin Bridge Police Station
Chennai

Crime No. 461 of 2025.

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

4. The Public Prosecutor, High Court, Madras.



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K.RAJASEKAR J.
MSM

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