



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.Nos. 34007 & 34003 of 2025

1.Salimbasha

... Petitioner in Crl.O.P.No. 34007/2025

2.Ajira Begam

... Petitioner in Crl.O.P.No. 34003/2025

Vs.

The State represented by
The Inspector of Police,
Manlurpet Police Station
Manalurpet, Kallakurichi District
Crime No. 321 of 2025.

... Respondent

Common Prayer: Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioners on bail Crime No. 321 of 2025 pending on the file of respondent police.

For Petitioners : Mr.R.Nalliyappan

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



COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 05.11.2025 for the offences punishable under Sections 123 of BNS and Section 24 (1) of Cigarette and Other Tobacco Products Act, 2003 in Crime No. 321 of 2025, registered on the file respondent police, seeks bail.

2. The allegation against the petitioners is that the petitioners joining hands with other accused involved in illegal possession and transportation of Hans @ Gutka 11 gunny bags 550 packet, Vimal-2 gunny bags 100 packet, V1 Tobacco – 2 gunny bags 100packet Cool Lip-57 Packet, total weighing 179.795 kgs of banned tobacco products from Karnataka to Tamil Nadu. While the respondent police party conducting regular patrol, caught red-handed the petitioners and recovered the banned tobacco products from them. Hence the case.

3. The learned counsel for the petitioners submits that the petitioners herein are the husband and wife and they are in judicial custody from 05.11.2025. He further submits that the dismissal of bail applications of the petitioners, the petitioners are incarceration for another one month and the petitioners are not having any previous cases. He further submits that the



petitioners are ready to abide any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

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4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners are ranked as A2 and A3 and the petitioners are husband and wife and the huge quantity of banned tobacco products were recovered from them and they were arrested very recently and investigation is on at the preliminary stage and they are having no bad antecedents and he opposed for grant of bail to the petitioners.

5.This Court after considering the merits of the case, dismissed the bail applications of the petitioner in CrI.O.P.No. 31324/2025 ranked as A2 and the petitioner in CrI.O.P.No.31328/2025 ranked as A3 respectively by order dated 17.11.2025.

6. Considering the fact that the quantity involved in this case; that the petitioners are not having any previous cases; I am inclined to grant bail to the petitioners with certain conditions:-



7. Accordingly, the petitioners are 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 Judicial Magistrate Court, Thirukovilur**, 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] **that the petitioners shall report before the respondent police daily at 10.30 am for a period of four 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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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note :

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To

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- 1.The Judicial Magistrate Court,
Thirukovilur.
- 2.The Sub-Jail, Thirukovilur.
- 3.The Public Prosecutor
High Court of Madras.
- 4.The Inspector of Police,
Manlurpet Police Station
Manalurpet, Kallakurichi District
Crime No. 321 of 2025.



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K.RAJASEKAR J.

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