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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **17-12-2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33735 of 2025

Selvin ... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Thevoor Police Station.
(Crime No.294 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.294 of 2025 on the file of the respondent police.

For Petitioner(s) **:** Mr. T.N. Rangesh Kanna

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 16.11.2025 for the offences punishable under Sections 24(1), 6 of COTPA Act and Section 77 of JJ Act in Crime No.294 of 2025, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on a specific information, the police party went to the petitioner's shop and seized banned tobacco products namely 70 packets of Hans, 37 bundles of Hans (each bundle contains 15 packets), 8 bundles of Vimal (each bundle contains 30 packets) and 30 bundles of V-I Tobacco (each bundle contains 30 packets) from the petitioner's shop, which were kept for the purpose of illegal sales to the general public and school going students; that upon investigation, it is revealed that the petitioner had purchased the same from one Neelamegam of Thattan Kuttai Village, Namakkal District; that thereafter, the police party went to the said Neelamegam's house and seized 13 bundles of Cool Lip (each bundle contain 15 packets). 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 16.11.2025; and that the petitioner is ready to abide by any

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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 has one previous case of similar nature; and that the investigation of this case is pending.

5. Though it is reported that the petitioner has one previous case of similar nature, considering the submissions made on both sides, facts and circumstances of the case, the contraband involved in this case was already seized and also taking note of the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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 Principal Sessions Judge, Salem** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial

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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 report before the respondent police daily at 10:30 a.m., 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.

17.12.2025

stn

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

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Court will be watermarked and will also have a QR code.

To

1. The Principal Sessions Judge,
   Salem.

2. The Inspector of Police,
   Thevoor Police Station.
   (Crime No.294 of 2025)

3. The Superintendent,
   Central Prison at Salem.

4. The Public Prosecutor,
   High Court of Madras.

K. RAJASEKAR, J.

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