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Crl.O.P.No.33780 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.33780 of 2025

Kannan

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Vanagaram Police Station,
Thiruvallur District.
(Crime No.257 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.257 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. A. Arunkumar

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 31.10.2025 for the offences punishable under Section 6(a), 24(1) of Cigarette and Other Tobacco Products Act, 2003 r/w Section 77 of the Juvenile Justice Care and Protection of Children Act, 2015 in Crime No.257 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against the petitioner herein is that, the petitioner was involved in illegal possession of 7.500 kilograms of banned tobacco products (1.800 kilograms of Cool lip, 5.100 kilograms of Hans, 300 grams of MDM and 300 grams of Vimal) 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 31.10.2025; that the petitioner's wife is seriously ill, bedridden and taking treatment; 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 (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that the petitioner has two previous cases of similar in nature; and that the investigation of the case is pending.

5. Considering the submissions made, facts and circumstances of the case, though it is reported that the petitioner has two previous cases, he was granted bail in those case, the contraband involved in this case was seized, the fact that the petitioner's wife is seriously ill and 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 Judicial Magistrate No.II, Poonamallee** 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;



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[b] the petitioner shall report before the learned Judicial Magistrate No.II, Poonamallee daily at 10:30 a.m., for a period of three weeks and thereafter as and when required for interrogation by the respondent police;

[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.

10.12.2025

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 Court will be watermarked and will also have a QR



code.

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To

1. The Judicial Magistrate No.II,
Poonamallee.
2. The Inspector of Police,
Vanagaram Police Station,
Thiruvallur District.
(Crime No.257 of 2025)
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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