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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.34428 of 2025

Ayyappan

Petitioner

Vs

The State Represented by
The Inspector of Police,
Karunya Nagar Police Station,
Coimbatore District.
Crime No.24 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner in Crime No.24 of 2025 on the file of the respondent police.

For Petitioner:

Mr.Bageerathan (VC)
for Mr.V.Ravinaidu

For Respondent:

Mr.A.Gopinath
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody

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on 21.09.2025 for the alleged offence punishable under Sections 123 of BNS, 2023 and Section 24(1) of the Cigarette and Other Tobacco Products Act, 2003 in Crime No.24 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 20.09.2025, while the respondent were on their routine vehicle checkup duty, they found that the petitioners were involved in illegal transportation of banned tobacco products in their vehicles from Bangalore to Tamil Nadu; that 57 packets of Cool lip has been recovered from the petitioner/A1 and Vimal – 1330 packets, Ganesh – 160 packets, Coolip – 293 packets and Hans – 590 packets have been recovered from petitioner/A2. Hence, this case.

3. Earlier, this Court dismissed the bail petition filed in CrI.OP.No.28161 of 2025 by order dated 29.10.2025 on the ground that the petitioner had bad antecedents and considering the quantity involved in the present case.

4. Today, the learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 21.09.2025; that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



5. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally four accused in this case and the petitioner is ranked as A2. He further submitted that the total contraband involved is 350 kilograms of banned tobacco products and that the same was recovered from the possession of the petitioner and two other accused. He further submitted that the petitioner has three previous cases under IPC offences. Hence, he opposed to grant bail to the petitioner.

6. Considering the fact that the contraband was seized from the petitioner, though the petitioner has previous cases which are not of similar in nature and also considering the period of his incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her 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 No.V, Coimbatore*, and on further conditions that:-

[a] the sureties shall affix their photographs and



Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the concerned Court daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];



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[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 B.N.S.

16.12.2025

drl

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 Judicial Magistrate No.V,
Coimbatore.

2.The Inspector of Police,
Karunya Nagar Police Station,
Coimbatore District.

3.The Superintendent,
Coimbatore Prison.

4.The Public Prosecutor,
High Court, Madras.

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K.RAJASEKAR, J.,

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