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Crl.O.P.No.34384 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.34384 of 2025

Balu

... Petitioner/ Accused

Vs

The State of Tamil Nadu rep. by,
The Sub-Inspector of Police,
Tirupattur Taluk Police Station,
Tirupattur District.
(Crime No.457 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.457 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. E. Kannadasan

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 13.11.2025 for the offences punishable under Section 7(1), 20(1) of Cigarette and Other Tobacco Products Act, 2003 and Sections 275 and 123 of BNS in Crime No.457 of 2025, registered on the file of the respondent police, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order dated 27.11.2025 in Crl.O.P.No.32546 of 2025.

2. The allegation against the petitioner herein is that, the petitioner was involved in illegal possession of 1.400 kilograms of banned tobacco products [58 packets of Hans (20 grams each), 90 packets of Vimal Pan Masala (2.5 grams each), 2 packets of Cool Lip (12.6 grams each) 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 13.11.2025; 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 no previous antecedents; and that the major part of the investigation has been completed.

5. I have considered the submissions made on both sides and perused the materials available on record.

6. Though the earlier bail application of the petitioner in Crl.O.P.No.32546 of 2025 was dismissed by this Court, considering the period of incarceration undergone by the petitioner, the petitioner has no previous antecedents and the fact that the major part of the investigation has been completed, 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 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, Tirupattur** and on further conditions that:

[a] the sureties shall affix their photographs and Left



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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 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.

16.12.2025

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.

To

1. The Judicial Magistrate No.II,
Tirupattur.
2. The Sub-Inspector of Police,
Tirupattur Taluk Police Station,
Tirupattur District.
(Crime No.457 of 2025)
3. The Superintendent,
Sub Jail, Tirupattur.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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