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CRL OP No. 35599 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35599 of 2025

Aarifbasha

Petitioner(s)

Vs

State Rep by,
The Inspector of Police,
SIPCOT Police Station, Krishnagiri
District. Cr.No.452 of 2025

Respondent(s)

PRAYER This Criminal Original Petition is filed under Section 483 of B.N.S.S., 2023, to enlarge the petitioner on bail in Crime No. 452 of 2025 on the file of the respondent and pass such further or other orders and thus render justice.

For Petitioner(s): Mr.V.Elangovan

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner / Accused, who was arrested and remanded to judicial custody on 24.10.2025 for the offence punishable under Section 123 of BNS, 2023 read with 7, 20(1) of COTPA Act and Section 4(1)(C) of Tamil Nadu Prohibition (Amendment) Act in Crime No.452 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner involved transportation of banned tobacco products of 315.500 kgs from Karnataka to Tamil Nadu along with 6 litres of Karnataka State liquor for the purpose of selling to this State. The police have intercepted the car used for transportation and the petitioner was arrested and the contraband was seized from him. Hence, this case.

3. The learned counsel for the petitioner would contend that the petitioner was falsely implicated as an accused in this case. He is an innocent and nothing to do with the alleged offences. He is in judicial custody from 24.10.2025. Therefore, prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and submitted that the contraband has already been seized. He further submitted that the investigation is still pending and also submitted that the petitioner has no previous case pending against him.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of offences and also taking note of the fact that



the petitioner is in judicial custody from 24.10.2025, moreover, the petitioner has no previous case, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Hosur** and on further conditions that:

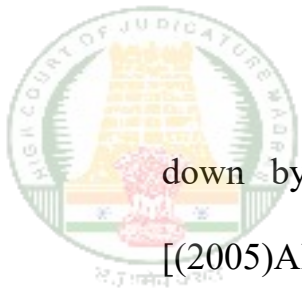
[b] the petitioner shall report before the respondent police daily at 10.00 a.m. for a period of 30 days and thereafter as and when required for interrogation;

[c] the petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial 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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[g] If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 B.N.S.2023.

26-12-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
rpl



To
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- 1.The Judicial Magistrate No.II, Hosur.
- 2.The Superintendent, Sub Jail, Hosur.
- 3.The Inspector of Police,
SIPCOT Police Station, Krishnagiri
District. Cr.No.452 of 2025
4. The Public Prosecutor, High Court of Madras, Chennai



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P.DHANABAL J.

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