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Crl.O.P.No.3492



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.34924 of 2025

Inayathulla

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Keezhkuppam Police Station,
Kallakurichi District.
(Crime No.240 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Crime No.240 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Balachandran

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



ORDER

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The petitioner, who was arrested and remanded to judicial custody on 09.12.2025 for the offences punishable under Sections 123 of BNS r/w 24(1) Cigarette and other tobacco product Act, 2003, in Crime No.240 of 2025, registered on the file of the respondent police, seeks bail.

2. The allegation against this petitioner is that, this petitioner was found in possession of 300 grams of banned tobacco products illegally. Hence this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 09.12.2025; and that the petitioner is ready to abide by any stringent 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 reiterated the prosecution case and submitted that the petitioner is having three previous cases, the petitioner was illegally found in possession of 300 grams of banned tobacco products and opposed for grant of bail to the petitioner.



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5. Considering the facts and circumstances of the case, that the petitioner herein was found in possession of 300 grams of banned tobacco products and though it is stated that the petitioner is having three previous cases, 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.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction of the *learned District Munsif cum Judicial Magistrate, Chinnasalem, Kallakurichi District*, 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;

[b] the petitioner shall report before the respondent police daily at 10:30 a.m., for a period of two weeks and thereafter as and when requires for interrogation by the respondent police;



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[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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

19.12.2025

rna

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



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official website of this Court will be
watermarked and will also have a QR code.

To

- 1.The District Munsif cum Judicial Magistrate,
Chinnasalem, Kallakurichi District.
- 2.The Inspector of Police,
Keezhkuppam Police Station,
Kallakurichi District.
- 3.The Superintendent of Prison,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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