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CRL OP No. 35566 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

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THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35566 of 2025

K. Uthirambal
W/o.Kuppusami , NO.52,Middle Street,
Arkkavadi ,Sirpadanallur,
Sankarapuram , Kallakurichi -605 802

Petitioner(s)

Vs

The State Rep By
the Inspector of Police
S.H.O.Manalurpet police station ,
Kallakurichi district,
Crime No. 313/2025

Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with the crime no.313 of 2025 on the file of the respondent police and pass such order or further order

For Petitioner(s): Mr.P.Kannan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.10.2025, for the alleged offences punishable under Sections 123 of BNS, Act 2023 r/w Section 24(1) of COTPA Act (Cigarette and Tobacco Products Act, 2003) in Crime No. 313 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner was in illegal possession of 37,067 kgs of banned tobacco products. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He would submit that she has been falsely implicated in this case. He would further submit that the petitioner was arrested and is in judicial custody from 31.10.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that petitioner was in illegal possession of 38 kgs of banned tobacco products. He also submitted that all the contraband were recovered. He also submitted that five previous cases were pending against the petitioner which are similar in nature. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the rival submissions made by the learned counsel on either side, the nature of the offences and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



[a] Accordingly, the petitioner is ordered to be released on bail on her executing 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 **Principal District and Sessions Judge, Kallakurichi** and on further conditions that:-

[b] the petitioner shall report before the **Thirukoilur Police Station** daily at **10.30 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26.12.2025

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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,
Principal District and Sessions Judge, Kallakurichi
- 2.The Inspector of Police,
S.H.O.Manalurpet police station , Kallakurichi district,
- 3.The Superintendent,
Villupuram Central Women Prison
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL J.
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