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CRL OP No. 35574 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35574 of 2025

Nagaraj

Petitioner(s)

Vs

The State represented by
The Sub Inspector of Police, Vellore
North P.S. Vellore District, Tamil Nadu,
Crime No.356 of 2025

Respondent(s)

PRAYER

The Criminal Original Petition is filed under Section 483 of B.N.S.S., to enlarge the Petitioner on bail in Crime No.356 of 2025 pending on the file of the Respondent Police and thus render justice.

For Petitioner(s): Mr.M.S.Sriraam

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.11.2025 for the offences punishable under Section 123 of BNS and Sections 6(a) and 24(1) of COTPA Act, 2003 in Crime No.356 of 2025 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in illegal possession of 20 grams of Hans Tobacco packs and 12.5 grams of Cool Lip packs. Hence, the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner and he was arrested and remanded to judicial custody on 24.11.2025. According to the prosecution, the petitioner had illegally possessed 20 grams of Hans Tobacco packs and 12.5 grams of Cool Lip packs. In fact, the petitioner is innocent and he has not committed any offence as alleged by the prosecution. This case has been foisted against the petitioner for statistical purpose. Therefore prayed to grant of bail to the petitioner.

4. The learned Government Advocate (criminal side) would submit that this case was registered as against the petitioner for the illegal transport of the banned tobacco products and that the petitioner has nine previous case of similar nature. Hence he strongly opposed to grant bail to the petitioner.

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



6. Considering the nature of allegations, period of incarceration, the quantity of the contraband seized, the fact that the petitioner is on bail in the other cases and since further custody of the petitioner is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain 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-IV, Vellore**, and on further conditions that:

[b] the petitioner shall report before the respondent police every Saturday for a period of four weeks;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she 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 her from disclosing such



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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 B.N.S.2023.

26-12-2025

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

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



To

1. The Judicial Magistrate IV, Vellore.
2. The Superintendent, Central Prison, Vellore.
3. The Public Prosecutor, Madras High Court, Chennai.
4. The Sub Inspector of Police, Vellore North P.S. Vellore District, Tamil Nadu.

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P.DHANABAL J.

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