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CRL OP No. 35588 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35588 of 2025

1.Deepika
Wife of Srinath

2.Neethipathi
Son of Panneerselvam

Petitioner(s)

Vs

State Rep. by
The Inspector of Police, Velipalayam
Police Station, Nagapattinam.
Crime No.326/2025.

Respondent(s)

PRAYER

The Criminal Original Petition is filed under Section 483 of B.N.S.S., to enlarge the petitioners on BAIL Pursuant to the Crime No.326 of 2025 pending investigation on the file of the Inspector of Police, Velipalayam Police Station and thus render justice.

For Petitioner(s): Mr.V.Karthikeyan

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.



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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 and also considering the period of incarceration of the petitioner from 24.10.2025, 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].

[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-II,
Nagapattinam.
2. The Superintendent, Women's Sub-
Jail, Thiruvarur.
3. The Superintendent, Central Prison,
Nagapattinam.
4. The Public Prosecutor, Madras High
Court, Chennai.
5. The Inspector of Police, Velipalayam
Police Station, Nagapattinam.



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P.DHANABAL J.

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