



WEB COPY

CRL OP No. 35557 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35557 of 2025

Jayaprasanth

Petitioner(s)

Vs

State rep by
The Inspector of Police, Sipcot Police
Station, Krishnagir District.
Crime No.514 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.514 of 2025 offences under section 123 BNS r/w 7 and 20(1) COTPA Act, 4(1)(C) TNP Act on the file of the respondent police Sipcot police Station here in above case.

For Petitioner(s): Mr.V. Karthick

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.11.2025 for the offences punishable under Section 123 of BNS r/w Section 7 & 20(1) of COTPA Act, 4(1)(C) of TNP Act in Crime No.514 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 116 Kgs of banned tobacco products. 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 30.11.2025. According to the prosecution, the petitioner had illegally possessed 116 Kgs of banned tobacco products. 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 possession of the banned tobacco products and that the petitioner has no previous case of similar nature. However, he strongly opposed to grant bail to the petitioner.

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



6. Taking into consideration of the facts and circumstance of the case and submissions made by the learned counsels, nature of offence and also considering the period of incarceration suffered by the petitioner and that there is no previous case pending against the petitioner, 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 XVI Metropolitan Magistrate, George Town, Chennai** and on further conditions that:

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of one month;

[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



WEB COPY



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 XVI Metropolitan Magistrate, George Town,
Chennai.

2. The Superintendent, Sub Jail, Hosur

3. The Public Prosecutor, Madras High Court, Chennai.

4. The Inspector of Police, Sipcot Police Station,
Krishnagiri District.



WEB COPY

CRL OP No. 35557 of 2025



P.DHANABAL J.

Jeni/rpl

CRL OP No. 35557 of 2025

26-12-2025