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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.2982 of 2026

1. Vijayalakshmi

2. Babu

... Petitioners

Vs.

The State represented by
The Inspector of Police,
P-2, Otteri Police Station,
Chennai.

(Crime No.34 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioners/Accused on bail in
Crime No.34 of 2026 pending on the file of the respondent Police.

For Petitioners : Mr.S.Praveen Kumar

For Respondent : Mr.A.Gopinath

Government Advocate (CrI.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on
26.01.2026, for the offence punishable under Sections 4(1)(a), 4(1-A) of TN
Prohibition Act, 24(1) of Cigarette and other Tobacco Products Act, 2003 and
123 of BNS, 2023 in Crime No34 of 2026, registered on the file of the
respondent, seeks bail.



2. The allegation against the petitioners is that the petitioners were found in possession of 5.4 kgs of tobacco products and 180 ml of 25 liquor bottles. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that there is no previous case pending against the petitioners. Hence, he opposed for grant of bail to the petitioners.

5. Considering the the nature of offence and taking into account the period of incarceration and the fact that there is no previous case pending against the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Xth Metropolitan Magistrate Court, Egmore, Chennai** 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 petitioners shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioners shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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)13 SCC 283];

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

10.02.2026

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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

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1. The Xth Metropolitan Magistrate Court, Egmore, Chennai.
2. The Inspector of Police,
P-2, Otteri Police Station,
Chennai.
3. The Superintendent,
Women's Central Prison,
Puzhal.
4. The Superintendent,
Central Prison,
Puzhal – II, Chennai.
5. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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