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CRL OP No. 15960 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15960 of 2026

Bhavani

..Petitioner

Vs

State , represented by
The Inspector of Police,
J-3, Guindy Police Station,
Chennai.

Crime No.183 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned in Crime No.183 of 2026 on the file of the respondent police on such terms and conditions as this Court.

For Petitioner:

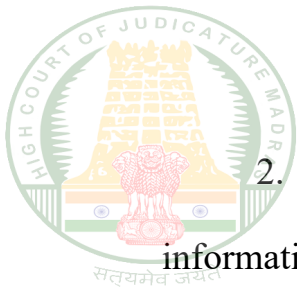
Mr.R.Parthiban

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.06.2026 for the alleged offences under Sections 24(1) of Cigarette and Other Tobacco Products Act, 2003 r/w 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.183 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 17.02.2024, based on information, the respondent police found the petitioner in possession of banned tobacco products, namely Vimal 95 packet, V1 95 packet, Hans 81 packet and Cool Lip 20 packets. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged and has been falsely implicated. It is further submitted that the investigation is almost completed and the petitioner has been in incarceration for more than 25 days. The learned counsel would also submit that the quantity involved is small. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and would submit that the petitioner has got two previous cases which is similar in nature. Hence, he opposed to grant bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. This Court is of the view that though the learned Government Advocate (Crl.Side) would submit that the petitioner has got two previous



cases, considering the long incarceration of the petitioner since 03.06.2026 and the small quantity involved, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-Five Thousand only), with two sureties for a like sum each to the satisfaction of the **learned IX Metropolitan Magistrate Court, Saidapet, Chennai - 15**, and subject to the following conditions:

[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 petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on



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bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

25-06-2026

NSL

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 learned IX-Metropolitan Magistrate Court, Saidapet, Chennai – 15.
2. The Special Women Prison, Puzhal.
3. The Inspector of Police, J-3, Guindy Police Station, Chennai.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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