

**BEFORE THE COURT OF SESSIONS DIVISION OF  
VELLORE DISTRICT, TAMIL NADU**

**Present: Dr.P.Murugan, Ph.D.(Law)**  
(J.O.Code - TN1793)  
Principal Sessions Judge, Vellore.

Tuesday, the 7<sup>th</sup> day of January, 2025

**Cr.M.P.No.13 of 2025**  
CNR.No.TNVL01-000017-2025  
AND  
**Cr.M.P.No.14 of 2025**  
CNR.No.TNVL01-000016-2025

A1.Jabez Prudent Williams, (M-45),  
S/o.Jacob Williams,  
No.3, Govindarajapuram,  
Nandivaram, Guduvancheri,  
Kancheepuram District,  
Tamil Nadu

...Petitioner/Accused in  
Cr.M.P.No.13 of 2025

A2.Ragunathan, (M-45),  
S/o.Gnanaprakasam,  
No.15/199, 1<sup>st</sup> Street,  
Thiruvalluvar Nagar,  
Keezhpadaipai,  
Kancheepuram District,  
Tamil Nadu

A3. Leeladharan, (M-34),  
S/o.Purushothaman,  
No.1/20, Indhira Street,  
Ullagam, Nanganallur,  
Kancheepuram District,  
Tamil Nadu

...Petitioners/Accused in  
Cr.M.P.No.14 of 2025

The State represented by  
Inspector of Police,  
Katpadi P.S.  
Tamil Nadu  
Cr. No. 473 of 2024.

...Respondent/Complainant

Both the petitions are coming before me for hearing today in the presence of Thiru.P.Prabakaran learned counsel for the petitioner in CrI.M.P.No.13 of 2025 and of Thiru. S. Ajithkumar, learned counsel for the petitioner in CrI.M.P.No.14 of 2025, the learned Public Prosecutor for the respondent and, after hearing both sides, this court, delivered the following:

### **C O M M O N O R D E R**

Both petitions for bail u/s 483 of BNSS. for the alleged offences u/s. sec.7(5), 20(2) of Cigarette and Other Tobacco Products Act 2003, r/w.123 BNS 2023, r/w 4(1)(C) of TNP Act.

2. The learned counsels for the petitioners with support of the averments that the petitioners were remanded to judicial custody on 24.12.2024 and they are in custody for the past 15 days. The case was registered case was registered against the petitioners on the basis of false complaint given by the defacto complainant stating that the case was registered against the petitioners based on the false complaint given by the respondent police stating that on 24.12.2024 while he was on patrol duty at the Katpadi Christianpettai check post, the respondent police seized CRETA car bearing Registration No.TN 07 CV 5234 and seized the tobacco products totally weighing 15.100 kgs and worth of Rs.23,070/- along with carl suerg beer 8 packets each contain 500 M.L. and grover wine of 12 bottles each 750 M.L. and the petitioners are innocents, they are no way connected with he case. The petitioners are having permanent residence and they are ready to furnish sufficient sureties to ensure their regular attendance and abide by any condition imposed by this Court, and prayed that the petitioners may be granted bail.

3. On notice, the learned Public Prosecutor submitted that there no previous case against the petitioners and prohibited tobacco products totally weighing 15.100 kgs and worth of Rs.23,070/- and CRETA car bearing Registration No. TN 07 CV 5234 have been seized from the petitioners and if the petitioners are enlarged on bail, they will commit the same offence and hence, he strongly objected to grant bail.

4. Heard both sides. Records perused. On perusal of FIR, the petitioners was having possession of harmful, prohibited tobacco products totally weighing 15.100 kgs and worth of Rs.23,070/- along with along with carl suerg beer 8 packets each contain 500 M.L. and grover wine of 12 bottles each 750 M.L. The learned Public Prosecutor submitted that no previous case is pending as against the petitioners. The petitioners are in judicial custody for 15 days. Considering the facts and circumstances of the cases, naure and gravity of the offences, the period of incarceration of the petitioners and the investigation is under progress, this court is inclined to enlarge the petitioners on bail subject to the following conditions:

5. In the result, these petitions are allowed;

(a) The petitioners in both petitions are ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/- each, along with two sureties each for the like sum each to the satisfaction of the Judicial Magistrate, Katpadi.

(b) The petitioners in both petitions shall appear and sign before the Judicial Magistrate, Katpadi daily at 10.30 AM on all working days until further orders from the next day of execution of bond before the said Court,

(c) The petitioners in both petitions are further directed to appear before the respondent police, as and when required for interrogation, on summon. Thereafter, they can file a modification petition after 30 days of conditions complied.

(d) The sureties shall affix their photographs and left thumb impression in the surety bond and produce copy of their Aadhar card or Bank Pass Book to ensure their identity;

(e) The petitioners in both petitions shall not tamper with evidence or witness either during investigation or trial;

(f) The petitioners in both petitions shall not abscond either during investigation or trial;

(g) On breach of any of the aforesaid conditions, the learned Judicial Magistrate, Katpadi/ Trial Court is entitled to take appropriate action against the petitioners in both petitions accordance with law as if the conditions have been imposed and the petitioners in both petitions released on bail by the learned Judicial Magistrate, Katpadi/Trial Court themself as laid down by the Hon'ble Supreme Court in *P.K.Shaji v. State of Kerala* [(2005) AIR SCW 5560] and;

(h) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

Pronounced by me in Open Court, this the 07<sup>th</sup> day of January, 2025.

Principal Sessions Judge,  
Vellore.

To

The Judicial Magistrate, Katpadi.

The Inspector of Police, Katpadi P.S.

The Superintendent, Central Prison, Vellore – Communicate to the  
Sub jails, if the Under Trial prisoner is incarcerated in any sub jail.