



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 1736 of 2026

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M.Balaji
S/o. Mohan,
Manager Bar of Gods,
Hotel R.J. Residency,
No.30, 2nd Street, North Boag Road,
T. Nagar, Chennai.

..Petitioner(s)

Vs

1. The Assistant Commissioner of Police
(Teynampet Range)
Greater Chennai Police,
Teynampet, Chennai-600 018.
2. The Inspector of Police
E-3, Teynampet Police Station,
Chennai-600 006.

..Respondent(s)

Prayer: Writ Petition (Criminal) filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the Respondents to grant permission to use Herbal Hookah Services (without any content or trace of tobacco or nicotine), in the Restaurant cum bar premises namely Bar of Gods, situated at R.J. Residency, No.30, 2nd Street, North Boag Road, T.Nagar, Chennai and pass such further or other order as this Honorable Court.

For Petitioner(s): Ms.S.Shanmitha

For Respondent(s): Mr.R.Ganesh Kumar,
Counsel for Government of Tamilnadu
(CrI.Side)



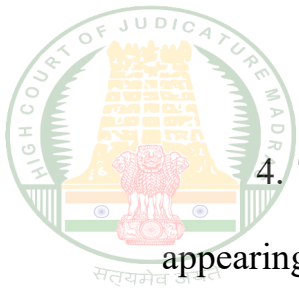
ORDER

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This Writ Petition has been filed seeking a direction to the Respondents to grant permission to use Herbal Hookah Services (without any content or trace of tobacco or nicotine), in the Restaurant cum bar premises namely Bar of Gods, situated at R.J. Residency, No.30, 2nd Street, North Boag Road, T.Nagar, Chennai.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The case of the petitioner is that the petitioner is the Manager of “Bar of Gods” The Restaurant-Cum-Bar Premises had made arrangements of for serving Herbal Hookah without any content or traces of Tobacco/Nicotine and had procured herbal tobacco free hookah by brand name “SOEX” which contains 0% Nicotine, 0% tar and 0% tobacco and manufactured using only non-tobacco herbal raw material for serving the same in his restaurant. Further, his customers are demanding for herbal hookah and the petitioner has got all the facilities. Since the petitioner apprehending unnecessary interference and disturbance from the police and alleging that there is a restriction to use herbal hookah services at the restaurant. Hence, the present writ petition.



4. The learned Counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondents submitted that with regard to herbal hookah, the respondents may not have serious objection. The only thing is under the guise of having hookah, some other Narcotics or any other substances not to be used. To verify the same and also to get an undertaking affidavit the respondents police insisted the petitioner to appear before them and to give an undertaking affidavit with details.

5. The learned Counsel appearing on behalf of the petitioner, on instructions, submitted that the petitioner is ready to appear before the respondent police and give his clarification and also an undertaking affidavit that they will use the smoking area only for serving herbal flavoured hookah without any content or trace of tobacco/nicotine.

6. In the light of the above submission, the petitioner is directed to give an undertaking affidavit before the second respondent, to have a separate smoking area for serving herbal flavoured hookah without any content or trace of Tobacco/Nicotine. On receipt of the undertaking, the respondents are directed not interfere with the business of the petitioner. It is made clear that the petitioner will strictly adhere to the undertaking and will not violate it by taking advantage of the order passed in this writ petition. If the respondents receive



any tangible information, the respondents are at liberty to inspect the petitioner's restaurant and proceed in accordance with law.

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7. With the above directions, the writ petition (Criminal) stands disposed of. No costs.

22-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Vv

To

1. The Assistant Commissioner of Police (Teynampet Range)
Greater Chennai Police,
Teynampet, Chennai-600 018.
2. The Inspector of Police
E-3, Teynampet Police Station,
Chennai-600 006.
3. The Public Prosecutor,
High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN, J.

Vv

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