



WEB COPY



Crl.O.P.No.11273 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2024

CORAM

THE HONOURABLE MR.JUSTICE **K. KUMARESH BABU**

Crl.O.P.No.11273 of 2024

1. Pramod Kumar  
Proprietor M/s. Aariyan Foods  
14, Jaganathan Street,  
Nungambakkam,  
Chennai – 600034.

2. Rathish.G. ... Petitioners

Vs.

1. The Commissioner of Police,  
Chennai City, Chennai – 600 007.
2. The Deputy Commissioner of Police (Triplicane Range)  
Chennai.
3. The Assistant Commissioner of Police (Nungambakkam Range)  
Chennai.
4. The Inspector of Police,  
F3 Police Station,  
Nungambakkam, Chennai. ... Respondents

**Prayer:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the respondents not to harass the petitioners and their staff in relation to the running of Herbal Hookah



services (without any content or trace of Tobacco and Nicotine) in the Restaurant Cum Bar premise namely “Barracuda Brew” at New No.35, Old No.24-A, College Road, Nungambakkam, Chennai 600006.

For Petitioner : M/s. S. Shanmitha  
For Respondents : Mr. L. Baskaran  
Government Advocate (Crl.Side)

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### **ORDER**

Heard the submissions made by both learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side). Based on record, the judgment of this Court made in W.P.No.27745 of 2023 dated 22.09.2023, wherein this Court exclusively passed the following Order

*“5. In the light of the above submissions, there shall be a direction to the petitioner to give an undertaking letter before the 4<sup>th</sup> respondent, to have a separate smoking area for serving herbal flavored hookah without any content or trace of Tobacco/ nicotine. On receipt of the undertaking, the respondents are directed not to 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.”*

2. The petitioner also undertakes to give such an undertaking and



the respondents, on receipt of the undertaking are directed not to interfere in the business of the petitioner, on the said directions, this criminal original petition stands disposed of, on the same line in which the aforesaid order has been passed.

**09.05.2024**

Neutral Citation : Yes/No  
stn

To

1. The Commissioner of Police,  
Chennai City, Chennai – 600 007.
2. The Deputy Commissioner of Police (Triplicane Range)  
Chennai.
3. The Assistant Commissioner of Police (Nungambakkam Range)  
Chennai.
4. The Inspector of Police,  
F3 Police Station,  
Nungambakkam, Chennai.
5. The Public Prosecutor,  
High Court of Madras,  
Chennai.



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**K. KUMARESH BABU, J.**  
stn

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