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Crl.OP.No.1269 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. No.1269 of 2025

Sathik Ali

... Petitioner

Vs.

State rep. by its The Inspector of Police,
Omalur Police Station, Salem District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS for granting anticipatory bail to the petitioner.

For Petitioner : Mr.Deepak Kumar C

For Respondent : Mr.S.Santhosh
Government Advocate [Criminal Side]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 7, 20[i] of Cigarette & Other Tobacco Product Act 2003 read with Sections 275, 123 and 62 of BNS 2023,



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in Crime No.13 of 2025, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on routine check up, the petitioner and other accused were found in illegal possession of 197 kgs. of tobacco products. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner is not involved in any previous case.

5. Considering the submissions of both sides and also of the fact that there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate, Omalur** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of one month and thereafter, as and when required for interrogation.

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

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

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



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[e] if the accused thereafter absconds, a fresh FIR can be registered

under Section 269 of the B.N.S.

17.01.2025

vrc

To,

1. The Judicial Magistrate,
Omalur.
2. The Inspector of Police,
Omalur Police Station, Salem District.
3. The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN, J.

VTC

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