



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 1781 of 2025

Raju @ Rajendra Parihar
S/o.Malla Ram Sirvee, No.27. Varathapuriamman
Kovil Street, Keelakottaiyur, Kancheepuram -
600048.

Petitioner(s)

Vs

The State Rep.By, The Inspector Of Police
S-7, Madipakkam Police Station, Chennai. (Crime
No. 12 of 2025)

Respondent(s)

For Petitioner(s):

S.Manikandan
K. Vigneshkumar

For Respondent : Mr.S.Balaji
Government Advocate(Crl.Side)

ORDER

The Petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 123 of BNS, 2023 and Section 24(1) of Cigarette and Other Tobacco Products Act, 2003, in Crime No.12 of 2025 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein is A2 in a case, where 451.760 kgs banned products were seized from the car of A1. The



seized contraband includes variety of banned products indicating that this petitioner and other accused had purchased the banned tobacco products for commercial sale from unknown person.

3.The learned counsel for the petitioner submits that the petitioner is innocent person and has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. He further submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.20,000/- to any welfare scheme of the Government or any other organization.

4.The learned Government Advocate (Crl. Side) opposing for grant of anticipatory bail, is that 451.760 kgs of tobacco products were seized from the A1's car. He further submitted that there is no previous case has been registered against him.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



6. Considering the facts and circumstances of the case and also taking into consideration the voluntary submission made by the learned counsel for the petitioner offering to deposit a considerable amount to any charitable organization or association, this Court is of the opinion that as one of the conditions for grant of anticipatory bail, the petitioner may be directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of **District Legal Services Authority, Chennai**, without prejudice to his rights and contentions before the trial Court. this Court is of the view that the petitioner may be granted bail.

7. It is made clear that merely because the petitioner is depositing the amount, it would not amount to the petitioner admitting his guilt in the criminal case and such amount is being paid without prejudice to the right of the petitioner.

8. Accordingly, the petitioner shall make a non refundable deposit of **Rs.20,000/- (Rupees Twenty Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the **Tamil Nadu Advocate Clerks Association, Chennai, Current A/c.No.484026006, Bank Name: Indian Bank, Branch: High Court, IFSC Code:IDIB000M157** and on such deposit



and on receipt of proof of payment, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-II, Alandur**, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

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

[e] 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 vs. State of Kerala**
[(2005)AIR SCW 5560];

WEB COPY

[f] If the accused thereafter absconds, a fresh FIR can be registered
under Section 269 of BNS.

07.02.2025

Index : Yes / No

Internet : Yes / No

rpl

To

1.The Inspector Of Police
S-7, Madipakkam Police Station, Chennai.

2.The Public Prosecutor,
Madras High Court, Chennai.



WEB COPY



SUNDER MOHAN , J.

rpl

Crl.O.P.No.1781 of 2025

07.02.2025