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Crl.O.P.No.2198 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

**THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA**

Crl.O.P.No.2198 of 2025

Udhayakumar

... Petitioner

Vs.

The State represented by,  
The Inspector of Police,  
Bazaar Police Station,  
Coimbatore District.  
(Crime No.20 of 2025).

... Respondent

For Petitioner : Mr.R.Parthiban

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

**ORDER**

Apprehending arrest in connection with Crime No. 20 of 2025 registered for the offences punishable under Sections 6(b), 24(1), 7(1) and 20(1) of Cigarette and Other Tobacco Products Acts, 2003 r/w Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 and 123 of BNS, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in



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the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that based on the confession of the arrested accused, this petitioner was arrested, and that there was no contraband was seized from this petitioner. He also submits that the co-accused was also released on anticipatory bail by this Court in Crl.OP.No.2049 of 2025. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of **Rs.25,000/-** to any welfare scheme of the Government or any other organization. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that based on the secret information about the illegal sale of banned tobacco products, the respondent police conducted a search, wherein they found that the petitioner along with other accused was found in illegal possession of 767 kgs of banned tobacco products. He further submits that there are eight accused in this case and the petitioner is arrayed as A8. He further submits that no previous case against the petitioner.

4. Considering the voluntary submission made by the learned counsel



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for the petitioner, the petitioner is directed to deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** to the credit of the District Legal Service Authority, Coimbatore, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

5. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 No.V, Coimbatore, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their



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photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

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

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

**30.01.2025**

drl



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To

1. The Inspector of Police,  
Bazaar Police Station,  
Coimbatore District.
2. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA.,J.**

drl

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