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CRL O.P. No.2575 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.02.2025

CORAM:

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL O.P. No.2575 of 2025

Vinoth S/o. Murugan

... Petitioner / Accused

Vs

State rep. by:-

The Inspector Of Police,
Sathuvachari Police Station,
Vellore.

... Respondent

[Cr. No.470 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., praying to grant anticipatory bail to the petitioner / Accused in Crime No.470 of 2024 on the file of the respondent police.

For Petitioner : Mr. Kasirajan.S.

For Respondent : Mr. S. Balaji,
Government Advocate
[Criminal side]

ORDER

The petitioner / Accused, who apprehends arrest in the hands of



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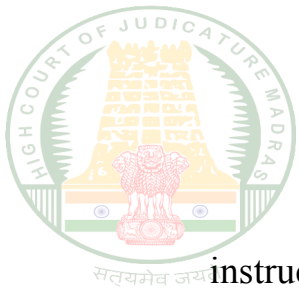
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the respondent police for the offences punishable under Sections 123, 275 of B.N.S. read with Section 7(5), 20(2) of the Cigarette and other Tobacco Products Act, 2003 in connection with the case in Crime No.470 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 22.12.2024 based on the secret information about the illegal trafficking of banned Tobacco products, the respondent police went to the scene of occurrence near Vellore Arcot Service Road near Pillayarkuppam Tarka, the accused were found with possession of banned tobacco products namely Hans, Coolip and Vimal Pan Masala kept in two wheelers and three wheelers.

3. Learned counsel for the petitioner would contend that the petitioner is an innocent; that he has been falsely implicated in this case; that based on the confession statement of co-accused, he has been roped into this case and that in any case, custodial interrogation of the petitioner is not required and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), on



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instructions, would submit that A1 to A3 bought the tobacco products from A8 and A9 and sold the same through A4 to A7 for their personal gain; that there are totally 9 accused in this case; that 6 previous cases are pending against the petitioner and that materials were seized. However, the learned Government Advocate admitted that the co-accused were arrested and released on bail and the petitioner is in bail in all other previous cases.

5. At this juncture, the learned counsel appearing for the petitioner also prayed that the condition may be imposed on the petitioner, in the event of release of petitioner on anticipatory bail as to appear before the Arcot Town Police Station instead to appear before the respondent police, as the petitioner is appearing before the Arcot Town Police station in an another case. He has also submitted the copy of the order before this Court.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused



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the materials available on record.

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7. Considering the nature of allegations, the fact that co-accused were arrested and released on bail, that the petitioner is in bail in all other previous cases and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. Accordingly, 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 No.V, Vellore** 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 conditions that:



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[a] the petitioner and the sureties shall affix their 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 Arcot Town Police Station, Ranipet everyday 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].

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



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To

- 1.The Judicial Magistrate No.V, Vellore.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector Of Police, Sathuvachari Police Station, Vellore.
- 4.The Inspector of Police, Arcot Town Police Station, Ranipet.

SUNDER MOHAN. J.,

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