



CRL OP NO. 3329 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3329 of 2025

SK Thasir Ali
S/O S.K Kharimmulla, Nadimi Kuppam Tada Andhra Pradesh

Petitioner(s)

Vs

State Rep By The Inspector Of Police
F-3 Arambakkam Police Station Tiruvallur, District, (Crime
No. 2 of 2025)

Respondent(s)

CRL OP NO. 3329 of 2025

For Petitioner(s):

Gopalakrishnan E
M.Muthuramalingam

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 271.275 and 123 of BNS and 24 (1) of Tobacco Act in Crime No.02 of 2025, on the file of the respondent police, seeks anticipatory bail.

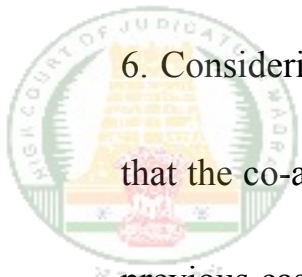


2. The case of the prosecution is that the accused persons were in possession of 5 Kgs of banned tobacco products and based on their confession statement, the petitioner was arrayed as accused. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case; the petitioner was arrayed as accused only based on the confession statement of co-accused; and that as the co-accused were arrested and released on bail, he may be released on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the petitioner was arrayed as accused based on the confession statement of other co-accused, there is no previous case as against the petitioner and contrabands were seized

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



6. Considering the submissions made on either side and also nature of allegations

that the co-accused was arrested and released on bail, contrabands were seized, there is no

previous case as against the petitioner and since custodial interrogation of the petitioner is

not required for interrogation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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 **District Munsif cum Judicial Magistrate, Gummidipoondi Court** on condition that the petitioners 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police every day 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



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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 absconds, a fresh FIR can be registered under Section 269 of BNS.

12-02-2025

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To
1. State Rep By The Inspector Of Police
F-3 Arambakkam Police Station
Tiruvallur, District,
(Crime No. 2 of 2025)