



WEB COPY

Crl.O.P.No.3996 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HON'BLE MR. JUSTICE **SUNDER MOHAN**

Crl.O.P.No.3996 of 2025

V.Althaf Basha

...Petitioner /Accused 4

Vs.

The Inspector of Police,
Arcot Town Police Station,
Ranipet
Ranipet District.
(Crime No.70 of 2025)

...Respondent/Complainant

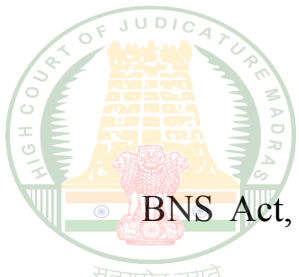
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to release the petitioner on bail in the event of his arrest in connection with Crime No.70 of 2025 dated 02.02.2025 on the file of the Arcot Town Police Station, Ranipet, Ranipet District.

For Petitioner : Mr.E.Thiyaga

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

ORDER

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7(5), 20(2) of Cigarette and other Tobacco Products Act, 2003 r/w Sections 275 and 123 of



BNS Act, 2023, in Crime No.70 of 2025 on the file of the respondent police,
seeks anticipatory bail.

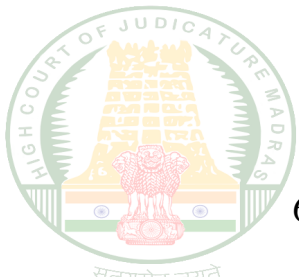
WEB COPY

2. The case of the prosecution is that the petitioner/A4, along with the other accused, was found to be in illegal possession of banned tobacco products. Hence, the case.

3.Learned counsel for the petitioner/A4 would submit that the petitioner is innocent and only based on the confession of A1, he was implicated in this case and that the contraband was also seized and hence, she prays for a grant of anticipatory bail to the petitioner.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the contraband was seized from A1; and that no previous cases are pending against the petitioner.

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

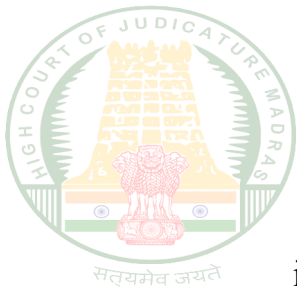


6. Considering the facts that the petitioner is sought to be implicated on the confession of A1, no previous cases are pending against the petitioner and that the contraband was seized from A1 and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with 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 (15) days from the date on which the order copy was made ready, before the learned **District Munsif cum Judicial Magistrate, Arcot** 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] 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 respondent Police, everyday at 10.30 a.m., until further orders.



WEB COPY

Crl.O.P.No.3996 of 2025



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

[d] the petitioner shall not tamper with evidence or witness 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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

17.02.2025

dk

To

- 1.The District Munsif cum Judicial Magistrate, Arcot.
- 2.The Inspector of Police, Arcot Town Police Station, Ranipet, Ranipet District.
- 3.The Public Prosecutor, High Court of Madras.



WEB COPY



CrI.O.P.No.3996 of 2025

SUNDER MOHAN,J.
dk

CrI.O.P.No.3996 of 2025

17.02.2025