



CRL OP NO. 4059 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 4059 of 2025

Aravind @ Arvind Giri
S/o. Achal Giri, Bamseen, Barmer, Rajasthan.

Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
VARIETY HALL ROAD Police Station. Coimbatore
District (Crime No.185 of 2024)

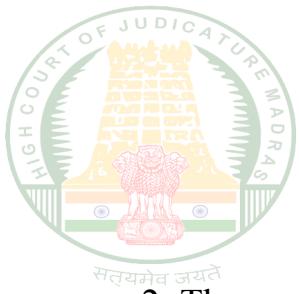
Respondent(s)

For Petitioner(s): Camyles Gandhi W

For Respondent(s): 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 7(1) and 24(1) of COTPA and 123 of BNS in Crime No.185 of 2024, on the file of the respondent, seeks anticipatory bail.



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2. The case of the prosecution is that the accused was in possession of 880 grams of banned tobacco products. 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; that he was implicated based on the confession statement of the co-accused; that the co-accused was arrested and released on bail and since custodial interrogation of the petitioner for the purpose of investigation is not required, he prayed for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and on instructions submitted that there are two previous cases as against the petitioner and hence, opposed for grant of anticipatory bail.

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.



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6. Considering the submissions made on either side; nature of allegation; that the co-accused was granted bail; that the petitioner is on bail in other previous cases and since custodial interrogation of the petitioner is not required, 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 **Judicial Magistrate – 5, Coimbatore** 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 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]**;



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SUNDER MOHAN, J.

vca

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

18.02.2025

vca

To,

The State Rep by, The Inspector of Police,
VARIETY HALL ROAD Police Station. Coimbatore
District (Crime No.185 of 2024)

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