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CRL OP No. 7897 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7897 of 2025

1. T Sivakumar

S/o.Thangarasu. No-8/233, New
Colony Street, Olaipadi Village,
Kunnam Taluk, Perambalur -621 717

2.K. Kannadasan

Petitioner(s)

Vs

1. State Rep. By

The Inspector of Police,
MANGALAMEDU Police Station,
Perambalur District.
Crime No. 60 of 2025.

Respondent(s)

CRL OP No. 7897 of 2025

PRAYER

To enlarge the petitioners on anticipatory bail in the event of the petitioners arrest by the respondent police in the pending investigation in crime.no. 60 of 2025 dated 06.02.2025 on the file of the respondent police and thus render justice



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For Petitioner(s): Mr. R. Sivakumar

For Respondent(s): Mr. S. Santhosh, Govt. Advocate

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 6(a), 24(1) of Cigarette and Other Tobacco Products Act, 2003 & 77 of The Juvenile Justice (Care and Protection of Children) Act 2015 in Crime No.60 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the petitioners/A1 & A2 along with other accused/A3 were in illegal possession of Tobacco products in their vehicle without any valid license. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the allegations are false; and that in any case, custodial interrogation is not required and sought for anticipatory bail for the petitioners.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the first petitioner/A1 has 4 previous cases out of which one is similar in nature and the second petitioner/A2 has no bad antecedents. He further submitted that the contraband was seized from A3.

5. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the contraband was seized, the fact that the first petitioner is on bail in the other cases, the fact that the second petitioner has no bad antecedents and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the



date on which the order copy made ready, before **the learned District Munsif**

Cum Judicial Magistrate Court-Kunnam, Perambalur District, on condition

that the petitioners shall execute separate 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 petitioners 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 identit

[b] the petitioners shall report before the respondent police as and when required for interrogation.

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

18-03-2025

AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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SUNDER MOHAN, J.

AT

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To

1.State Rep. By
The Inspector of Police,
MANGALAMEDU Police Station,
Perambalur District. Crime No. 60 of
2025.

Crl. O.P. No. 7897 of 2025