



WEB COPY

Crl.O.P.No.8764 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.8764 of 2025

Manimekalai @ Manimegalai
W/o. Sundaramoorthy

....Petitioner/Accused

Vs

The State Rep. by
The Inspector of Police,
E.5, Foreshore Estate Police Station,
Chennai
(Crime No.52/2025)

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of her arrest by the respondent police in Crime No.52 of 2025 on the file of the respondent police.

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



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ORDER

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2. The case of the prosecution is that on 09.02.2025, the petitioner was found selling Tobacco products, which were banned by the Government of Tamil Nadu, in her shop and the respondent police seized 20 packets of Hans and 16 packets of Vimal from her shop. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and she has nothing to do with the alleged offence; that the petitioner is falsely implicated in the case; and that the petitioner is ready to provide solvent sureties and to abide by any conditions that may be imposed by this Court, and prayed for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that 20 packets of Hans and 16 packets of Vimal were seized from the shop of the petitioner and that the petitioner was acquitted in the previous case which was filed against her.

5. Considering the fact that the contraband was seized from the petitioner; that she has been acquitted in the previous case, and since 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.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned XXIII Metropolitan Magistrate, Saidapet, Chennai**, 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

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for anticipatory bail shall stand dismissed and on further condition that:

[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 respondent police daily 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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[f] If the accused thereafter abscond, a fresh FIR

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can be registered under Section 269 of B.N.S.

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To

1. The XXIII Metropolitan Magistrate, Saidapet, Chennai
2. The Inspector of Police,
E.5, Foreshore Estate Police Station,
Chennai
3. The Public Prosecutor,
High Court, Madras.

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SUNDER MOHAN, J.

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