



CRL OP NO. 9358 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-04-2025**

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CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9358 of 2025

SURESH

S/o. Manickam, No.51/53, Ranganathar Street,
Maniyakarampalayam, Coimbatore North, Ganapathy
Post, Coimbatore District.

Petitioner(s)

Vs

State Rep.By, The Inspector Of Police,
Saravanampatty police station, Coimbatore District.
Crime No.127 of 2025.

Respondent(s)

For Petitioner(s):

Mr. R.Parthiban

For Respondent(s):

Mr.S.Balaji

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 123 of BNS and 24(1) of Cigarette and other Tobacco Products Act 2003 and 77 of JJ Act in Crime No.127 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the respondent Police based on the secret information, found that the petitioner along with other accused were in illegal



possession of 81 Kgs and 740 grams of banned tobacco products. Hence
case.

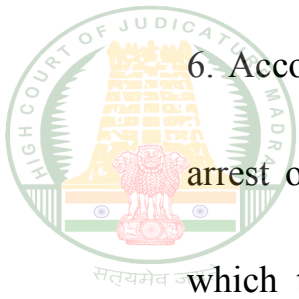


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3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner was in illegal possession of 81 Kgs and 740 grams of banned tobacco products; that the petitioner has one previous case.

5. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioner, submissions made by the learned counsels on either side and the fact that the contraband has been seized and the petitioner is on bail in the other 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 eve

arrest or on his appearance, within a period of fifteen days from the date on

which the order copy made ready, before **the learned Judicial Magistrate**

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Court-II, Coimbatore on condition that the petitioner shall execute a separate

bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties**

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 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, everyday 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.



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[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

02-04-2025

msv

To
The Inspector Of Police,
Saravanampatty police station,
Coimbatore District.