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CrI.O.P.No.17457 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.17457 of 2025

Sunil Patel

... Petitioners

Vs.

State represented by,
The Inspector of Police,
Latheri Police Station,
Vellore District
(Crime No. 5 of 2025)

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Crime No.5 of 2025 on the file of the respondent Police.

For Petitioners : Mr. A.Vijayasankar

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 7(5) and 20(2) of COTPA Act, 2003 r/w 123 of BNS, 2023 in Crime No. 5 of 2025 on the file of the respondent police, seeks anticipatory bail.



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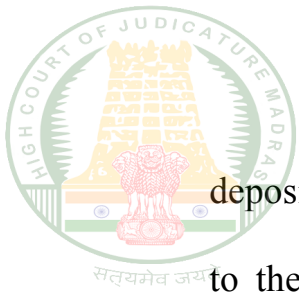
2. The case of the prosecution is that the petitioner along with other accused were found to be in illegal possession of 18 Kg of banned tobacco products. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioner is innocent and he has been falsely implicated in this case based on the confession of A1. He further submitted that the petitioner is ready to abide any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner along with other accused were found to be in illegal possession of 18 Kg of banned tobacco products. He submits that two previous cases were pending against the petitioner which are similar in nature. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the above facts and circumstances of the case and also taking note of the fact that the petitioner has come forward to



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deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand only), to the credit of Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)**, as non-refundable deposit by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram** and on such deposit and production of proof, 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 on which the order copy made ready, before the learned **Judicial Magistrate Court, Katpadi** 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 for anticipatory bail shall stand dismissed and 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., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not abscond during 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.

To

1. The Judicial Magistrate Court, Katpadi
2. The Inspector of Police,
Latheri Police Station,
Vellore District
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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