



CRL OP NO. 12336 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: **24.04.2025**

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CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 12336 of 2025

Sujana Ram

Petitioner

Vs

The State Rep By
The Inspector of Police
Karimangalam Police Station,
Dharmapuri District.
(Crime No.151 of 2025)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on anticipatory bail in the event of arrest in Crime No. 151 of 2025 pending on the file of the respondent police.

For petitioner : Mr.P M Jayachandran
For Respondent : Mr.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 123 and 128 of the BNS Act, r/w Section 7 and 24(1) of the COTPA Act in Crime No.151 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found



in illegal possession of 1000 kgs of tobacco products.

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3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent; that he has been falsely implicated in this case; that without prejudice to his contention, he is prepared to pay an amount of Rs.10,000/- towards any charitable organization or association and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the contraband were seized and that the petitioner has no bad antecedents.

5. Further, considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of '**Legal Services Authority, Dharmapuri District**' without prejudice to the right of defence before the Trial Court and making it clear that it would not



amount to admission of guilt.

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6. 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 were seized, the 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 petitioner with certain conditions.

8. Accordingly, the petitioner is directed to make a non-refundable deposit of **Rs.10,000/- [Rupees Ten Thousand Only]** directly to the credit of “**District Legal Services Authority, Dharmapuri District**”, without prejudice to his rights and contentions before the trial Court, 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 of receipt of copy of this order, before the **learned Judicial Magistrate, Karimangalam** on condition that the petitioner shall execute a bond for 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, on further condition that:

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[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.

[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



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[(2005)AIR SCW 5560].

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

24.04.2025

GBI

SUNDER MOHAN,J.



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GBI

To:

1. The Inspector of Police
Karimangalam Police Station,
Dharmapuri District.
2. The Judicial Magistrate, Karimangalam
3. The Public Prosecutor,
High Court Madras.

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