



Crl.O.P.No.14967 of 2025

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WEB COM **M.NIRMAL KUMAR,J.**

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submitted that this Court on 16.05.2025 has granted anticipatory bail to the petitioner in Crl.O.P.No.14967 of 2025, however, in the order copy in paragraph No.5(1), the satisfaction Court has been wrongly mentioned as **Judicial Magistrate No.II, Ulundhurpettai** instead of **XVII Metropolitan Magistrate Court, Saidapet, Chennai** and the same needs to be rectified. Hence, he prayed for suitable directions.

3. Registry is directed to carry out the necessary correction and issue order copy afresh. Further, two weeks time is granted to the petitioner to comply with the conditions.

01.08.2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.05.2025

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THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

Crl.O.P. No.14967 of 2025

Shahul Hameed

... Petitioner

/versus/

State represented by
The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.

Crime No.254 of 2025

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police pending investigation in Crime No.254 of 2025 on the file of the respondent police.

For Petitioner : Mr.I.Abdul Basith

For Respondent : Mr.V.Meganathan,
Government Advocate (Crl. Side)

ORDER

The petitioner who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 123, 274 and 275 of BNS Act in Crime No.254 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.05.2025, while the respondent police were on routine checkup, one Sheik Dawood was found in possession of banned tobacco products viz., Hans, Coolip, Vimal Pan Masala, VI-Tobacco, Remo and Mawa and on enquiry, he disclosed that he had procured the said contraband from the petitioner herein. Hence the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, he has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner without prejudice to his contention is ready and willing to deposit a sum of Rs.10,000/- to the Cancer Institute (WIA), Adayar and also ready to abide by any stringent conditions that may be imposed by this Court and ready to co-operate for the investigation and



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prayed for bail to the petitioner.

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4.The learned Government Advocate (Crl. Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner is having no previous case, however he opposed for the grant of anticipatory the bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of allegation against the petitioner, the submissions made by the learned counsels on either side and also considering the voluntary submission made by the learned counsel appearing for the petitioner regarding depositing a sum of Rs.10,000/- to the Cancer Institute (WIA), Adayar, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on anticipatory bail with the following conditions:

(1) The petitioner shall deposit a sum of Rs.10,000/-(Rupees Ten Thousand only) (Non refundable) towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer



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Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan before the Judicial Magistrate No.II, Ulundhurpettai and the receipt shall be produced at the time of executing the bond;

(2) The petitioner shall execute a bond for **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the **learned XVII Metropolitan Magistrate, Saidapet, Chennai;**

(3) **The petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of two weeks;**

(4) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Metropolitan Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(5) The petitioner shall make himself available for interrogation by a Police Officer as and when required;

(6) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;



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(7) The petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

(8) On breach of any of the aforementioned conditions, the learned Metropolitan Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

(9) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

16.05.2025

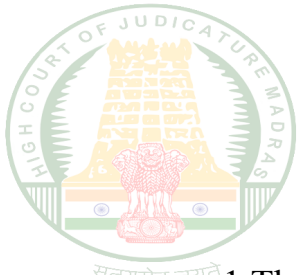
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Note:-

1. Registry is directed to forthwith upload this order in the official website of this Court.
2. All concerned to act on this order being uploaded in official website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this Court will be watermarked and will also have a QR code.

To

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1.The XVII Metropolitan Magistrate,
Saidapet, Chennai.

2.The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.

3.The Public Prosecutor,
High Court, Madras.



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