



CrI.O.P.No.15155 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CrI.O.P.No.15155 of 2025

1.Hariharan

2.Jay Milan Shah ... Petitioners

Vs.

State rep by
The Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai.

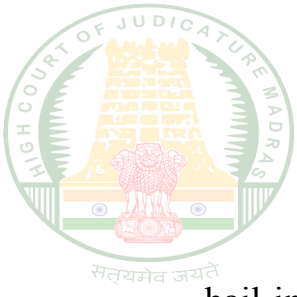
(Crime No.171 of 2025) ... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioners on anticipatory bail in Crime No.171 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.Vidhusan
For Respondent : Mr.A.Gopinath
Government Advocate (CrI. Side)

ORDER

This Criminal Original Petition has been filed by the petitioners, who apprehend arrest at the hands of the respondent, seeking anticipatory



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bail in Crime No.171 of 2025 registered for the offence under Section 21

(a), 21 (1) and Section 4(1)(C) of TNP Act, 1937.

2.It is the case of the prosecution that the the 2nd petitioner is the owner of the restaurant namely Kafe Latte and the 1st petitioner is the Chef in the restaurant. It was found that Tobacco flavours for hookah packets were illegally used in the restaurant. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they had been falsely implicated in this case. He would further submit that the petitioners are ready to abide by any condition that may be imposed by this Court and sought for anticipatory bail.

4.Per contra, the learned Government Advocate (Criminal Side) reiterated the prosecution case and opposed the grant of anticipatory bail to the petitioners.



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5.At this juncture, the learned counsel for the petitioners submitted that the petitioners, without prejudice to their defense and contention, are ready and willing to deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand only) as non-refundable deposit to any welfare scheme of the Government or any other organization.

6.Heard the learned counsel on either side and perused the materials available on record.

7.Considering the nature of allegations and the submission that the petitioners are willing to deposit an amount of Rs.25,000/- as non-refundable deposit to any welfare scheme, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8.Accordingly, the petitioners are directed to deposit a sum of **Rs.25,000/- [Rupees Twenty Five Thousand Only]** as non-refundable deposit directly to the credit of **“The Dean, Rajiv Gandhi Government General Hospital, Chennai, bearing A/c. No.10273425961, State Bank of India, Park Town (Chennai), 68, Evening Bazaar Road, Chennai,**



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IFSC:SBIN0001856”, without prejudice to their rights and contentions before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of copy of this order, before the **learned XIV Metropolitan Magistrate, Egmore, Chennai** on condition that the petitioners shall execute a bond for sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 conditions 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 petitioners shall report before the jurisdictional Magistrate from Monday to Friday at 10.30 a.m., and shall appear before the respondent police on Saturday and Sunday at 10.30 a.m., until further orders:

[c] the petitioners shall not abscond either during investigation or trial;



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[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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* reported in [(2005)AIR SCW 5560];

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

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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.



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N.SENTHILKUMAR, J.

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Copy to:

- 1.The XIV Metropolitan Magistrate, Egmore, Chennai.
- 2.The Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai.
- 3.The Public Prosecutor,
High Court of Madras.

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