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Crl.O.P.No.15856 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.O.P.No.15856 of 2025

Nirmala

... Petitioner/Accused 2

Vs.

State rep by
The Inspector of Police,
Kilkodungalore Police Station,
Tiruvannamalai District.

(Crime No.205 of 2024)

... Respondent

PRAYER: This criminal original petition has been filed under Section 482 of BNSS to enlarge the petitioner on anticipatory bail in Crime No.205 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Sathiyaraj Elangovan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

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



bail in Crime No.205 of 2024 registered for the offence under Sections 275 and 123 of BNS, 2023 and Sections 6(a) and 24(1) of COTPA, 2003.

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2.It is the case of the prosecution that the petitioner, along with the other accused, was found in illegal possession of 8.991 kgs of banned tobacco products. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that contraband was seized. He would further submit that the petitioner is 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 (Crl. Side) reiterated the prosecution case and submitted that the contraband was seized and that the petitioner has two previous cases similar of nature.

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

6.Considering the nature of allegations, the fact that the contraband was seized and since custodial interrogation of the petitioner is



not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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8. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of copy of this order, before the **Judicial Magistrate, Vandavasi, Tiruvannamalai District**, 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 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 petitioner shall appear before the respondent police as and when required for interrogation.

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



[d] the petitioner shall not tamper with evidence or witness 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*** 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.

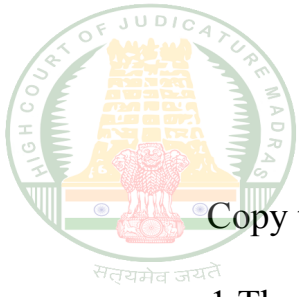
22.05.2025

ata/ep

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.



Copy to:

1.The Judicial Magistrate, Vandavasi, Tiruvannamalai District.

2.The Inspector of Police,
Kilkodungalore Police Station,
Tiruvannamalai District.

3.The Public Prosecutor,
High Court of Madras.

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N.SENTHILKUMAR, J.

ata/ep

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