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CrI.O.P.No.15936 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.06.2025**

CORAM

THE HONOURABLE MR JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.15936 of 2025

Narpat Singh

... Petitioner/A4

Vs

The State Rep. by
The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.
(Crime No.111 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No.111 of 2025 pending on the file of the respondent police.

For petitioner : Mr.C.R.Gokulvisvas

For Respondent : Mr.R.Vinothraja
Government Advocate (CrI. Side)



CrI.O.P.No.15936 of 2025

WEB COPY

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 123 of BNS, 2023 and Section 7(2) of Cigarette and Other Tobacco Products Acts, 2003 in Crime No.111 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused 1 to 3 were found to be in illegal possession of 128 kgs of chewing tobacco products. Subsequently, the petitioner was implicated as a suspect of involvement in the above case. Hence, the case.

3. The learned counsel for petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the co-accused 1 to 3 were granted bail in CrI.M.P.Nos.525, 523 and 527 of 2025, dated 15.05.2025 by the Sessions Court, Dharmapuri. He further submitted that the petitioner, without prejudice to his rights, is



Crl.O.P.No.15936 of 2025

WEB COPY

ready to deposit a sum of Rs.50,000/- to any welfare scheme of the Government or any other organization.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that A2 sent A1 to buy banned Tobacco products from Bangalore and the same were unloaded in A3's house. The petitioner along with A1 purchased the banned tobacco products to the value of Rs.3,89,000/-. He further submitted that the co-accused 1 to 3 were granted bail in Crl.M.P.Nos.525, 523 and 527 of 2025, dated 15.05.2025 by the Sessions Court, Dharmapuri.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side and the fact that the co-accused 1



Crl.O.P.No.15936 of 2025

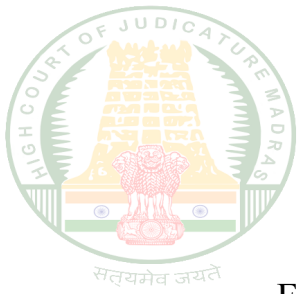
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to 3 were granted bail in Crl.M.P.Nos.525, 523 and 527 of 2025, dated 15.05.2025 by the Sessions Court, Dharmapuri, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, 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 a copy of this order, before the learned **Judicial Magistrate No.II, Dharmapuri**, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial



CrI.O.P.No.15936 of 2025

WEB COPY

Form No.46 annexed to 'The Criminal Rules of Practice, 2019'].

The learned Magistrate shall obtain a copy of any one of the identify proofs to ensure their identity;

[c] The petitioner shall deposit a sum of Rs.50,000/-(Rupees Fifty Thousand only) (Non refundable) towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer 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, Dharmapuri and the receipt shall be produced at the time of executing the bond;

[d] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[e] the petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;



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CrI.O.P.No.15936 of 2025

[f] the petitioner shall make himself available for interrogation by a Police officer as and when required;

[g] 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;

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

[i] 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];

[j] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

04.06.2025

rsi

6/8



CrI.O.P.No.15936 of 2025

WEB COPY

To:

1.The Judicial Magistrate No.II,
Dharmapuri.

2. The Inspector of Police,
Thoppur Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court Madras.



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Crl.O.P.No.15936 of 2025

M.NIRMAL KUMAR, J.

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Crl.O.P.No.15936 of 2025

04.06.2025