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Crl.O.P.No.16426 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.16426 of 2025

1. Dasharat
2. G.M.Manokaran

... Petitioners

Vs.

State represented by,
The Inspector of Police,
Avalur Police Station,
Ranipet District.
(Crime No.85 of 2024)

... Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of BNSS to enlarge the petitioners on bail in the event of his arrest in Crime No.85 of 2024 on the file of the respondent Police.

For Petitioners : Mr.M.Sarathkumar

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 6(b), 24(1) of the Cigarette and other Tobacco Products Act, 2003 r/w Section 328 of BNS in Crime No.85 of 2024 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the accused were found to be in illegal possession of 17.05 kilograms of banned tobacco products. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioners. He further submitted that there is no previous case against these petitioners.

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

6. Considering the above facts and circumstances of the case and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.50,000/- each to the credit of Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram and since, the custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners shall deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only) each** as non-refundable deposit by way



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of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram** and on such deposit and production

of proof, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Walajapet, Ranipet District**, on condition that the petitioners 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 respondent Police everyday at 10.30.a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not abscond during 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 [(2005)AIR SCW 5560];***

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

23.06.2025

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To

1. The Judicial Magistrate No.I,
Walajapet, Ranipet District.
2. The Inspector of Police,
Avalur Police Station,
Ranipet District.
3. The Public Prosecutor,
High Court, Madras.

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