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CRL OP No. 16448 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 16448 of 2025

1. Karpagam

Petitioner(s)

Vs

1. The State of Tamil Nadu, Rep. by the
Inspector of Police,
G-5 Secretariat Colony Police Station,
Chennai. (Crime No. 117 of 2025)

Respondent(s)

PRAYER

This Criminal Original Petition is filed to enlarge the Petitioner on bail in the event of his arrest pending investigation in Crime No. 117 of 2025 on the file of the Respondent.

For Petitioner(s): Mr.G Azhagiri

For Respondent(s): Mr.R.Vinotharaj Govt Advocate
(Crl Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 275, 123 of BNS and 24(1) of COPTA Act in Crime No.117 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, based on the secret information, the respondent police conducted a search on 07.05.2025 and seized 4.50 kgs of banned tobacco products from the accused. Pursuant to the confession of the first accused, the petitioner was implicated as an accused. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and she has been falsely implicated in this case and the confession of the first accused does not directly implicate the petitioner. Hence, prayed for anticipatory bail to the petitioner.

4. The learned counsel appearing for the petitioner further



submitted that petitioner to show her bonafide, she is ready and willing to deposit a sum of Rs.25,000/- to the Cancer Institute(WIA), Adayar.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police vehemently opposed for grant of anticipatory bail to the petitioner, reiterating the fact of the case and on instructions submitted that 4.50 kgs of banned tobacco products were seized from the accused. It was further submitted that the other accused are already undergoing incarceration.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record.

7. Considering the submissions made by the learned counsel appearing on either sides, nature of the allegations and since, custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the

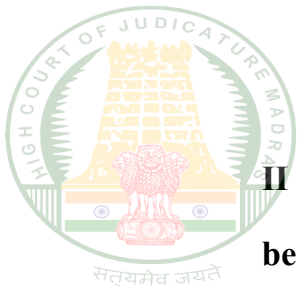


petitioner with certain conditions.

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8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned II Metropolitan Magistrate, Egmore, Chennai** 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 learned Magistrate concerned, and on proof of payment of deposits, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] The petitioner shall deposit a sum of **Rs.25,000/-(Rupees Twenty Five 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 learned**



II Metropolitan Magistrate, Egmore, Chennai and the receipt shall be produced at the time of executing the bond;

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

[c] 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 Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

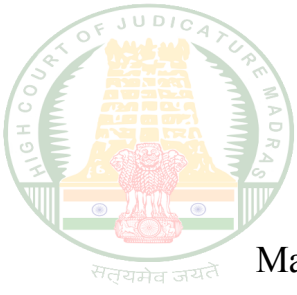
[d] the petitioner shall report before the respondent Police as and when required for interrogation;

[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;

[f] the petitioner shall make himself available for interrogation by a Police office 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;



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[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.

10-06-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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1. The State of Tamil Nadu, Rep. by the
Inspector of Police,
G-5 Secretariat Colony Police Station,
Chennai. (Crime No. 117 of 2025)
2. The II Metropolitan Magistrate,
Egmore, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR J.

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