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Crl.O.P.No.18272 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.18272 of 2025

Munna Ram Mali

... Petitioner

Versus

State by:-

The Inspector of Police,
Mahendramangalam Police Station,
Dharmapuri District.
(Crime No.126 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.126 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.P.M.Jayachandran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government 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 123 of BNS r/w 24(1) of COTPA Act, 2003, in Crime No.126 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of 148 kgs of Tobacco product. Hence the case.

3. The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He further submits that the petitioner is ready to abide any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that petitioner has no bad antecedents. However, he vehemently opposed for grant of anticipatory bail to the petitioner.



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5. Considering the above facts and circumstances of the case, the fact that petitioner has no bad antecedents and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of **Rs.1,00,000/-** (Rupees One Lakh only) as non refundable deposit to the credit of the **RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431** and on such deposit, 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 on which the order copy made ready, before the learned Judicial Magistrate, Palacode, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two sureties (out of which, one shall be a blood surety)** 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:



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[a] the petitioner and 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 deposit a sum of **Rs.1,00,000/- (Rupees One Lakh only) as non refundable deposit to the credit of the RAY OF LIGHT FOUNDATION; A/c No: 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431;**

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m. for a period of fifteen (15) days and thereafter, as and when required for interrogation;

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] 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



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[(2005)AIR SCW 5560];

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

14.07.2025

sp

To

- 1.The Judicial Magistrate,
Palacode.
- 2.The Inspector of Police,
Mahendramangalam Police Station,
Dharmapuri District.
- 3.The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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