



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 11.07.2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.18317 of 2025

Khadar @ Khadar Hussain

Petitioner

Vs

The State Rep by its
The Inspector of Police,
Thousand Lights Police Station
Chennai District.
(Crime No.190/2025).

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to order enlarge the petitioner on Anticipatory bail in the event of his arrest in crime No.190/2025 pending investigation on the file of the Respondent.

For Petitioner : Mr.I.Sheik Mohamed

For Respondent : Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.side).

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 6 (b) r/w 24 (1) of COTPA Act



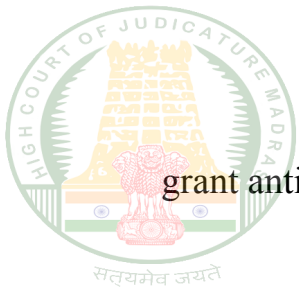
and Section 7 of Prohibition of e-cigarette Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement Act, 2019, the Juvenile justice (Care and Protection of Children) Act, 2015 in Crime No.190 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that, the petitioner along with other accused was found in illegal possession of banned e cigarette. Hence the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal side) reiterated the prosecution case and opposed for grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and since custodial interrogation of the petitioner is not required, this Court is inclined to

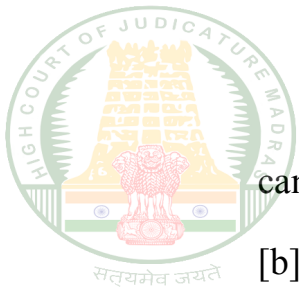


grant anticipatory bail to the petitioner with certain conditions.

WEB COPY

6. Accordingly, the petitioner shall deposit a sum of **Rs.1,00,000/-** (Rupees One Lakh only) without prejudice to his defence as non refundable deposit to the credit of the **Sri Ramachandra Institute of Higher Education and Research, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Account No.471533180 IFSC Code No.IDIB000S180**, 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 **XIV Metropolitan Magistrate, Egmore**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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



cancelled;

[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 Sri Ramachandra Institute of Higher Education and Research, Current Account maintained at Indian Bank, SRU Branch, Porur, Chennai-600 116, bearing Account No.471533180 IFSC Code No.IDIB000S180,**

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

[d]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;

[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;

[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.

11-07-2025

ep

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

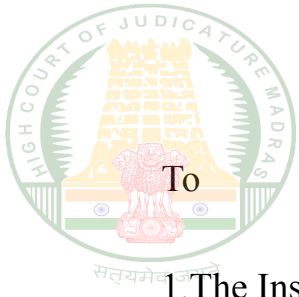
Neutral Citation: Yes/No



WEB COPY

CRL.O.P.No.18317 of 2





To

- 1.The Inspector of Police,
Thousand Lights Police Station
Chennai District.
- 2.XIV Metropolitan Magistrate,
Egmore.
- 3.The Public Prosecutor
High Court of Madras.



WEB COPY

CRL.O.P.No.18317 of 2



M.NIRMAL KUMAR J.

ep

CRL.O.P.No.18317 of 2025

11.07.2025