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CRL OP No. 22068 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 22068 of 2025

Nagesh Dewash
Son of Nimba Ram No. 9/3/323,
Rezimental Bazar, Secunderabad,
Hyderabad, Andhra Pradesh - 500 003.

Petitioner(s)

Vs

The State Rep. by
The Inspector of Police,
Viruthachalam Police Station,
Cuddalore District.

Respondent(s)

PRAYER

To enlarge the Petitioner on anticipatory bail in the event of his arrest in Crime No. 208 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): Mr. Samson A

For Respondent(s): Mr.S.Udayakumar,
Govt. Advocate (Crl. Side)



ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences under Sec.132, 275, 123 of B.N.S. Act and under Sec.3 of T.N.Public Property (Prevention of Damage and Loss) and under Sec.24(1) of Cigarettes and other Tobacco Products Act, 2003 in Crime No.208 of 2025 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 12.04.2025, based on a secret information about transportation of banned tobacco products at Viruthachalam to Ulundurpettai highway, the respondent police along with his team went to the place of occurrence and intercepted the petitioner's vehicle, however, on seeing them, he stopped the vehicle and escaped from there. On search, they found that he was found in illegal possession of 26 hans white plastic bags and seized the same. Hence, the complaint.

3. The learned counsel appearing for petitioner would submit that he is an innocent person and he has not committed any offence as alleged in the complaint and he has been falsely implicated in this case as if he illegally transported banned tobacco products. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the respondent police seized 26 hans white plastic bags from the vehicle, which is worth about Rs.6,00,000/- and he is native of Andhra Pradesh. He would submit that If he is granted anticipatory bail, he will abscond and also tamper the witnesses and investigation is not yet completed. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, and according to prosecution, he was involved in illegally transporting banned tobacco products, which is worth about Rs.6,00,000/- and considering the fact that the investigation is not yet completed and he is a native of Andhra Pradesh and at this stage, if he is released on anticipatory bail, he would abscond and also tamper the witnesses, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

12-09-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

1. Judicial Magistrate – I, Virudhachalam.

2. The Inspector of Police, Viruthachalam Police Station, Cuddalore Dt.

3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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