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CRL OP No. 21782 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21782 of 2025

K M Shabeer Ahamed

S/o ABDUL MALIK,

No.59, Ameen Mosque Street,

Ambedkar Nagar, Bangi Shop, Ambur,

Tirupathur District.

Petitioner

Vs

State rep. by Sub Inspector of police

Oomerabad Police Station, Tirupathur

District. (Cr.No.267/2025)

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS to enlarge the petitioner/accused on Anticipatory bail in the event of his arrest by the respondent police in connection with FIR lodged at Oomerabad PS Cr.No.267/2025 on the file of respondent police pending investigation.

For Petitioner : Mr.Mohan Raj

For Respondent : Mr.S.Udayakumar

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 24(1) of Cigarette and Other Tobacco Products Act 2003 and Sections 123 of BNS, 2023 in Crime No.267 of 2025 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 27.07.2025, the petitioner had possessed banned tobacco products viz. Hans-75 pouches, each 10 grams; Vimal-330 pouches, each 10 grams; V1 Pan masala-330 pouches, each 0.35 grams; Coolilps- 45 pouches, each 6 grams. Hence, this case.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. On instructions, he further submitted that without prejudice to his right and contentions, the petitioner is prepared to deposit/pay some considerable amount as may be directed by this court and prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent police raised objections for the grant of anticipatory bail to the



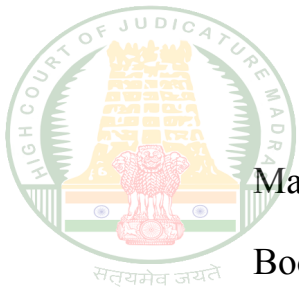
petitioner by stating that the petitioner is the sole accused and the total quantity of tobacco products involved in this case is 1.960 kgs.

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5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, 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 No.1, Ambur**, on condition that **the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) as non-refundable deposit to the credit of the registered Advocate Clerks Association, Tirupathur, within a period of two weeks from the date on which the order copy made ready** and the petitioner shall also 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 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.

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[b] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for the period of eight weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 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]**.

[f] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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1. The Judicial Magistrate No.1
Ambur
2. The Sub Inspector of police
Oomerabad Police Station,
Tirupathur District.
3. The Public Prosecutor
High Court of Mardas, Chennai



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T.V.THAMILSELVI J.

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