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CRL OP No. 21874 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. 21874 of 2025

Jakki @ Sandhosh

S/o.Gnanajothi, 14A,

Amalchar Kovil Street, Ulundurpet

Taluk, Kallakurichi District.

Petitioner

Vs

The State rep by its

The Sub-Inspector of Police,

Ulundurpet Police Station,

Kallakurichi District.

in Crime No.383 of 2025

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest in Cr. No. 383 of 2025 on the file of the respondent police .

For Petitioner : Mr.Raji

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 123 of BNS, 2023 read with Section 24(1) of Cigarettes and other Tobacco Products Act, 2003 in Crime No.383 of 2025 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.07.2025, A1-Selladurai was found in possession selling banned tobacco products viz. Hans-16 small packets and Vimal-24 pieces and hence he was arrested. Subsequently, based on the confession, the petitioner was impleaded as A2.

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 based on the confession of A1. 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 there are totally two accused in this case and the

petitioner has been arrayed as A2. He further submitted that there are 3 previous

cases pending against the petitioner.

5. Considering the above facts and circumstances of the case and the quantity of contraband, 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.I, Ulundurpet**, 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, Kallakurichi**, **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.

[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



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To
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1. Judicial Magistrate No.I
Ulundurpet
2. The Sub-Inspector of Police,
Ulundurpet Police Station,
Kallakurichi District.
3. The Public Prosecutor
High Court of Madras, Chennai



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T.V.THAMILSELVI J.

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