

Crl.O.P.No.22490 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22490 of 2025

Natarajan

... Petitioner

Vs.

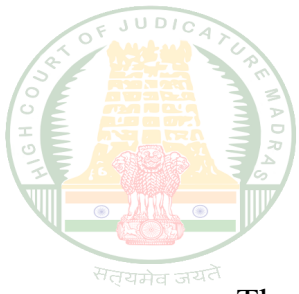
The State rep by,
The Sub-Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai District.
(Crime No.8 of 2025)

... 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 arrest in connection with Crime No.8 of 2025 on the file of respondent Police.

For Petitioner : Mr.J.Ganesh
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)

ORDER



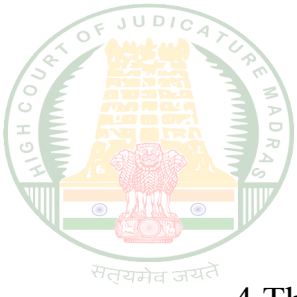
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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **123 of BNS, 2023 & 24(1) of COTPA Act**, in Crime No.8 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The petition for anticipatory bail filed by A2 in Crime No.8 of 2022, the respondent had seized 45 packets of hans prohibited Tobacco products in Tamil Nadu and kept concealed in the fertilizer shop of the petitioner.

3. The learned counsel appearing for the petitioner states that the business is taken care by the son of the petitioner, who is the first accused in this case and he was arrested by the respondent police, later released on bail. As far as this petitioner is concerned he is an innocent person he is not aware of the stacking of banned tobacco products in the fertilizer shop and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prayed for grant of anticipatory bail to the petitioner.



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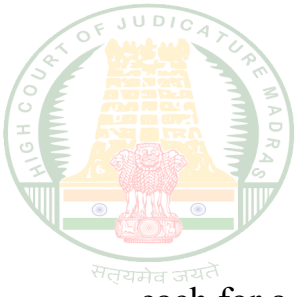
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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submits that banned tobacco products worth about Rs.2,280/- in seize from the shop premises of the petitioner herein. The statement of his son, who is A1 reveals knowledge and conscious possession of this petitioner.

5. Heard the learned counsels and perused the materials available on record.

6. Considering the submissions made by the learned counsel appearing on either sides and the fact that the petitioner herein has no bad antecedents and aged about 65 years, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.2,500/- [Rupees Two Thousand and Five Hundred Only]** to the credit of **Crime No.8 of 2025** before the trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 21.08.2025** before the learned **District Munsif-cum-Judicial Magistrate, Kilpenathur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties**



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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 fails to surrender before the concerned Magistrate on or before 21.08.2025, this Order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police as and when required for interrogation:

[d] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[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 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



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the directions as may be given by the Court in this regard;

[g] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];**

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

13.08.2025

dna

To

1.The District Munsif-cum-Judicial Magistrate, Kilpenathur.

2.The Sub-Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai District.
(Crime No.8 of 2025)

3.The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.
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