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CrI.O.P.No.23213 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM

THE HON'BLE DR. JUSTICE G. JAYACHANDRAN

CrI.O.P.No.23213 of 2025

Maha

... Petitioner/ Accused

Vs.

The State Represented by,
The Inspector of Police,
Omerabad Police Station,
Omerabad, Tirupathur District.
(Crime No.269 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 his arrest in connection with Crime No.269 of 2025 on the file of respondent Police.

For Petitioner(s) : Mr. G. Vinodh Kumar

For Respondent : Mr. S. Vinoth Kumar
Government Advocate (CrI.Side)



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ORDER

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 r/w 123 of BNS (328 of IPC) in Crime No.269 of 2025**, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that based on a secret information, the respondent police went to the petitioner's petty shop and on inspection, they found banned tobacco product of 30 packets of Hans, each packet containing 10 grams in the petitioner's shop for the purpose of illegal sale. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent 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 sought for anticipatory bail to the petitioner.



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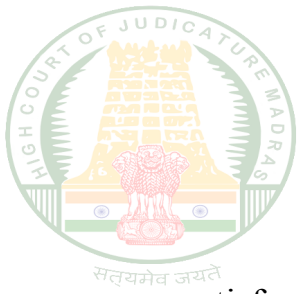
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4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and on instruction submitted that the petitioner has no previous antecedents. He further submitted that the investigation is pending, hence opposed the grant of anticipatory bail to the 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, the fact that the petitioner has no previous antecedents and the quantity of the contraband seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 02.09.2025** before the **learned Additional District Munsiff cum Judicial Magistrate, Ambur** 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



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satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall deposit a sum of Rs.3,000/- (Rupees Three Thousand Only) to the credit of Crime No.269 of 2025 on the file of the learned District Munsiff cum Judicial Magistrate, Ambur on or before 02.09.2025;

[b] if the petitioner fails to surrender before the concerned Magistrate on or before 02.09.2025, this Order shall stand automatically cancelled;

[c] 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;

[d] the petitioner shall report before the respondent police daily at 10.30.a.m., until further orders;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to



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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]**;

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

21.08.2025

stn

To

1. The Additional District Munsiff cum Judicial Magistrate,
Ambur.
2. The Inspector of Police,
Omerabad Police Station,
Omerabad, Tirupathur District.
(Crime No.269 of 2025).
3. The Public Prosecutor,
High Court of Madras.



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Dr. G. JAYACHANDRAN, J.,

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