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Crl.OP.No.24014 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24014 of 2025

R.Poovarasana

... Petitioner

Vs.

The Inspector of Police,
Vaniyambadi Taluk Police Station,
Thirupathur District.
(Cr.No.303 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 Cr.No.303 of 2025 on the file Vaniyambadi Taluk Police Station, Thirupathur District.

For Petitioner : Mr.C.D.Sugumar

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

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(a), 24(1) of Cigarette and Other Tobacco Products Acts, 2003 r/w Section 123 of BNS Act. 2025



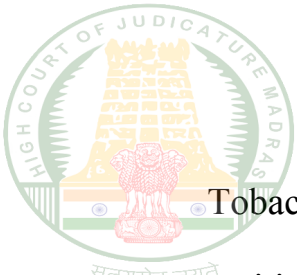
in Crime No.303 of 2025, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that petitioner along with other accused were found in possession of 15 kgs of banned tobacco products. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that based on the alleged confession statement of A1 and A2 from whom 15 kgs of banned tobacco products seized , the present petitioner is arrayed as 3rd accused, on the ground that he is the supplier of the seized tobacco products. According to the learned counsel for the petitioner, the petitioner is an innocent person and nothing recovered from him. In the confession statement given to the police incriminating the petitioner herein is inadmissible in evidence. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that this petitioner is the supplier of the banned tobacco products and he is having five previous cases. However, those cases are not under Cigarette and Other



Tobacco Products Acts, 2003. Hence, he opposed to grant bail to the petitioner.

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

6. Taking note of the said fact, 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, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Vaniyambadi, Thirupathur District** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties** each for a like sum 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 fail to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety



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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 daily at 10.30 a.m., until further orders;

[d] 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];**

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

02.09.2025

Vv

To

1.The Judicial Magistrate,
Vaniyambadi,

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Thirupathur District

2. The Inspector of Police,
Vaniyambadi Taluk Police Station,
Thirupathur District.

3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

Vv



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