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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.24752 of 2025

Manikandan

... Petitioner

Vs.

The State represented by,
The Sub-Inspector of Police,
Santhavasal Police Station,
Thiruvannamalai,
(Crime No.294 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory
bail in Crime No.294 of 2025 on the file of the Respondent police.

For petitioner : Mr.S.S.Ajay Sriram
For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences
punishable under Section 257, 123 and 62 of BNS 2023, r/w 6(b), 24(1) of
COTPA Act, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is alleged to have



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supplied the banned tobacco products such as cool lip and Hans to the shop of the accused namely Maila to be sold to the public. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is arrayed as A2 and the first accused was already arrested and this petitioner was driving auto rickshaw and he is the one who supplies the banned tobacco products to the accused Maila and on check up, the respondent police seized 34 packets of illegal tobacco products from the shop under the seizure mahazar. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.



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6. Taking into consideration the facts and circumstances of this case and the submissions made by the learned counsel on either side and also taking note of the fact that the contra band has been recovered and the petitioner is ready to abide by any condition imposed of this court, 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 on her executing a separate 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 **learned Judicial Magistrate, Polur** and on further conditions that:

[a] 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 a period of six weeks and thereafter, as and when required for interrogation ;

[c] the petitioner shall not abscond either during investigation or trial;

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[d] the petitioner shall not tamper with evidence or



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witness 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 accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

To:

12.09.2025

1. The Judicial Magistrate, Polur.
2. The Sub-Inspector of Police,
Santhavasal Police Station, Thiruvannamalai.
3. The Public Prosecutor,
High Court of Madras.

Note : 1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies.
To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

Crl.O.P.No.24752 of 2025