



Crl.O.P.No.25732 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

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THE HON'BLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.25732 of 2025

1.Chandramohan

2.Murugesh @ Murugesan

... Petitioners 2&3

Vs.

The State represented by,
The Inspector of Police,
Sipcot Police Station,
Krishnagiri District.
(Crime No.284 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 438 of Cr.P.C / 482 of BNSS Act, to enlarge the petitioners on anticipatory bail in the event of their arrest by the Respondent Police in Crime No.284 of 2025 on the file of the respondent police.

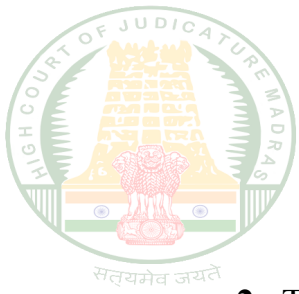
For Petitioners : Mr.Pradeep

For Respondent : Mr.S.Udayakumar

Government Advocate (Crl. Side)

ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Section 123 of BNS Act, r/w Sections 7, 20(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 4(1)(c) of The Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.284 of 2025, on the file of the respondent Police, seek anticipatory bail.



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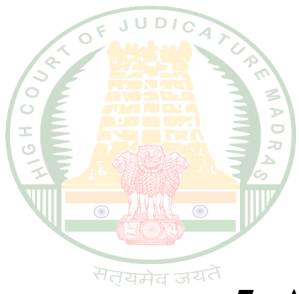
2. The allegation against the petitioners is that, on 11.07.2025 at about 12.30 p.m., the petitioners had illegally transported tobacco products. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the first petitioner is the owner and the second petitioner is a relative of A1. They did not have direct knowledge about the transportation of the contraband and came to know about A1's intention only after the registration of the case. He further submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he prayed for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that no previous cases are pending against the petitioners. However, he opposed the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of offence and since, custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned **Judicial Magistrate No.II, Hosur** on condition that the petitioners shall execute a bond 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 and on further condition that:

[a] **if the petitioners fails to surrender before the said Magistrate, 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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];**



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

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To

- 1.The Judicial Magistrate No.II, Hosur
2. The Inspector of Police,
Sipcot Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court of Madras.

K.RAJASEKAR, J.



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