



Cr1.O.P.No.27218 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Cr1.O.P.No.27218 of 2025

Selvakumar, M/ 33 years
S/o Balakrishnan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police
Vadapalani Police Station,
Chennai
(Crime No.280 /2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of arrest in Crime No.280 of 2025 on the file of the respondent Police.

For Petitioner : Mr.A.Murugavel

For Respondent : Mr.S.Santhosh
Government Advocate (Cr1. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 123 of B.N.S. 2023 r/w Section 7(2), 20(2) of COTP Act in Crime No.280 of 2025, on the file of the respondent police, seeks anticipatory bail.



Cr1.O.P.No.27218 of 2025

WEB COPY

2.The petitioner is arrayed as A1 and one Balakrishnan is arrayed as A2. The case of the prosecution is that, in the petitioner's house, A2 was found in possession of 9.7 Kgs of Gutka and Tobacco products. Hence the complaint has been registered.

3.Learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case; that the petitioner has not committed any offence as alleged by the prosecution; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation. He further submitted that the petitioner, without prejudice to his rights, is ready to deposit some amount to any welfare scheme of the Government or any other organization and prayed for anticipatory bail to the petitioner.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and



Cr1.O.P.No.27218 of 2025

perused the materials available on record.

WEB COPY

6.Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, and since, custodial interrogation is not required for the purpose of investigation, 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 fifteen days from the date on which the order copy made ready, before **the learned XVII Metropolitan Magistrate, Saidapet, Chennai** 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 satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate/Judge concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a]the petitioner and 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



Cr1.O.P.No.27218 of 2025

WEB COPY

pass Book to ensure their identity.

[b] the petitioner is directed to deposit a sum of **Rs.10,000/-** (Rupees Ten thousand only) as non-refundable deposit either through RTGS/NEFT/cash/demand draft in favour of the **Dean, Rajiv Gandhi Government General Hospital, Chennai, bearing A/c. No.10273425961, State Bank of India, Park Town (Chennai), 68, Evening Bazaar Road, Chennai, IFSC:SBIN0001856**, without prejudice to his defence before the trial Court and the learned Metropolitan Magistrate, after perusing the challan/receipt, shall accept the sureties furnished by the petitioner;

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

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e]the petitioner shall not abscond either during investigation or trial.

[f]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].



Cr1.O.P.No.27218 of 2025

WEB COPY

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

03.10.2025

SMN

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 official website of this Court will be watermarked and will also have a QR code.*

To

1.The XVII Metropolitan Magistrate
Saidapet
Chennai

2.The Inspector of Police
Vadapalani Police Station
Chennai

3.The Public Prosecutor
High Court of Madras.



WEB COPY



CrI.O.P.No.27218 of 2025

N.SENTHILKUMAR, J.
SMN

CrI.O.P.No.27218 of 2025

03.10.2025