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Crl OP No.196of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.196of 2025

Suggu Neelathari Reddy(Siva)

... Petitioner

Versus

The Inspector of Police,
Kavundaampalayam Police Station,
Coimbatore.
Crime No.216 of 2024s.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on bail in Cr.No.216 of 2024 on the file of the respondent police.

For petitioner : Mr.Azhagu P.Senthil Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 8(c), 20(b)(ii)(C), 25 and 29(1) of Narcotic Drugs and Psychotropic Substance



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Act, 1985 in Crime No.216 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that the co-accused A1 and A3 were found in possession of 20 kgs of banned tobacco products and the petitioner was implicated on the confession of the co-accused.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent; the petitioner has been falsely implicated that there is no evidence against the petitioner except the confession of the co-accused and that no contraband has been seized from the petitioner and hence prayed for anticipatory bail for the petitioner.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has no bad antecedents and no contraband has been seized from the petitioner.

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



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6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that no contraband was seized from the petitioner and the petitioner has no bad antecedents 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, 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 is made ready, before the *learned Judicial Magistrate Court-I, Coimbatore* on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

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

[b] the petitioner shall not tamper with evidence or witness either



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during investigation or trial;

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

[d] 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 is 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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

24.02.2025

Vv

To

1. The Judicial Magistrate Court-I, Coimbatore
2. The Kavundaampalayam Police Station,
Coimbatore.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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