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CRL OP No. 27944 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 27944 of 2025

1. Rajavelu

Son of Murugan Kuttaikarai Street
Cuddalore OT and District

Petitioner(s)

Vs

1. The State Rep By Inspector of Police
Cuddalore OT Police Station.
Cuddalore District (Crime No. 427 of
2025)

Respondent(s)

PRAYER

To enlarge the petitioners/3rd Accused on bail in the event of their arrest in connection with Crime No. 427/2025 to the petitioner pending investigation on the file of the respondent police and thereby render justice.

For Petitioner(s): Vishwanth S C

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl.Side)



ORDER

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The petitioner apprehends arrest for the alleged offence under Sections 123, 275 of BNS r/w. Section 24(1) of the COTPA Act in Crime No.427 of 2025, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that he joined hands with other accused and transported 80 kgs of banned tobacco products. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case and there are no previous case against him. Therefore, he prays to grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reported that totally 3 accused in this case and the petitioner is ranked as A3. The petitioner along with other accused were transported 80 kgs of banned tobacco products. He further submitted that co-accused in this case was granted bail. Hence, he opposed to grant anticipatory bail to the petitioner.



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5. Considering the fact that there are no previous case against the petitioner and co-accused in this case was granted bail, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II, Cuddalore**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;



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(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

14-10-2025

Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Judicial Magistrate-II, Cuddalore.

2. The State Rep By Inspector of Police
Cuddalore OT Police Station.

Cuddalore District (Crime No. 427 of
2025)

3. The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
mpa

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