



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2025

CORAM

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

CRL OP NO. 30002 of 2025

Tirupathi

Petitioner/A3

Vs

The State rep. by  
Station House Officer (SHO)  
Killai Police Station  
Cuddalore District.  
Crime No. 104 of 2025.

Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event  
of his arrest pending investigation in Cr.No. 104 of 2025 on the file of the  
respondent police.

For Petitioner : Mr.Thamaraiselvan R.  
For Respondent : Mr.S.Udayakumar  
Government Advocate (Criminal Side)

----

### **ORDER**

The petitioner, who apprehends arrest at the hands of the respondent



police for the offences punishable under Sections 275 and 123 of BNS, 2023

r/w sec.24(1) of COTPA Act, in Crime No. 104 of 2025, on the file of the

respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that on 20.07.2025, when the respondent police were patrolling duty, the petitioner and others were found in possession of 345 Nos tobacco products (Hans & Vimal). The respondent police arrested A1 and A2 and the same were seized. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated based on the confession statement of the co-accused. He also submits that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prays for grant of anticipatory bail to the petitioner.



WEB COPY

4. The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that totally three accused had involved in this case. He further submits that A1 and A2 already arrested. He further submits that the petitioner has no previous case. He opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the fact that the co-accused A1 & A2 had already arrested in this case and the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 **Judicial Magistrate**

**No.I, Chidambaram,** 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 that:

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen 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 the identity proofs to ensure their identity;

**[c] the petitioner 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**



WEB COPY



**interrogation;**

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

**05.11.2025**

MSM

To

1.The Judicial Magistrate No.I, Chidamabaram.  
2.Station House Officer (SHO)  
Killai Police Station  
Cuddalore District.

5/6



Crime No. 104 of 2025.

3. The Public Prosecutor,  
High Court of Madras.

WEB COPY



WEB COPY



**K.RAJASEKAR, J.**

MSMCRL OP NO. 30002 of 2025

05.11.2025