



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 30230 of 2025

1. A. Parthiban

S/o. Appavu, No. 106/1, Kamaraj
Street, Omipper, Villupuram 604301.

Petitioner(s)

Vs

1. State, Rep by Inspector of Police
Marakkanam Police station, Villupuram
District (Crime No. 261 of 2025)

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of his arrest in Crime No. 261 of 2025 on the file of the Marakkanam Police Station and pass such further or other orders and thus render justice.

For Petitioner(s): Balamurugan A

For Respondent(s): Mr.S.udayakumar
Government Advocate (Crl.Side)

**ORDER**

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 274, 275 and 123 of BNS r/w. Sections 6(b) and 24(1) of COTPA Act in Crime No. 261 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was in illegal possession of 984 grams of banned Tobacco products. Hence, a case was registered against the petitioner.

3. The learned counsel for the petitioners would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner was illegally found in possession of 167 pockets (984 grams) of banned tobacco products. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the quantity involved in this case is only 984 grams of banned tobacco products that is less than 1 KG and the petitioner is



not having any previous case of similar nature and the property also seized, I am inclined to grant 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, Tindivanam**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 petitioners 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;

(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 petitioners in accordance with law as if the 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 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.

06-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mpa

To

1. The Judicial Magistrate-II, Tindivanam.

1. State, Rep by Inspector of Police

Marakkanam Police station, Villupuram

District (Crime No. 261 of 2025)

3. The Public Prosecutor

High Court of Madras.



WEB COPY

CRL OP No. 30230 of 2025



K.RAJASEKAR J.
mpa

**CRL OP No. 30230 of
2025**

06-11-2025