



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM

**THE HONOURABLE MR JUSTICE K.RAJASEKAR**

**CRL.O.P.No.30611 of 2025**

V.Ajithkumar

... Petitioner

Versus

The State rep by its,  
Station House Officer,  
Thirunavalur Police Station,  
Kallakurichi District.  
(Crime No.533 of 2025)

.. Respondent

**Prayer:-** Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in the event of his arrest in Crime No.533 of 2025 on the file of the respondent police.

For Petitioner : Mr.D.Gopinathan

For Respondent : Mr.S.Udaya Kumar,  
Government Advocate (Crl. Side)

**ORDER**

The petitioner, who apprehends arrest by the respondent police for the offence punishable under Section 123 of BNS, 2023 and Section 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.533 of 2025 seeks anticipatory bail.



2.The allegation against the petitioner is that the petitioner was involved in possession and sale of 489 grams of banned Tobacco Products in his petty shop. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are totally three accused in this case and the petitioner is ranked as A2. He further submitted that the contraband was seized from the petitioner's petty shop and that the petitioner has no previous cases pending against him. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the nature of allegations, the fact that the petitioner has not



involved in any previous cases and that the contraband seized is 489 grams of tobacco products from his petty shop, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.II, Ulundurpet*, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) 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 pass Book to ensure their identity;

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

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

**10.11.2025**

drl

**To**

1.The Judicial Magistrate No.II,  
Ulundurpet.

2. The Station House Officer,  
Thirunavalur Police Station,  
Kallakurichi District.

3.The Public Prosecutor,  
High Court, Madras.



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**K.RAJASEKAR, J.**

drl

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