



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 17-11-2025**

CORAM

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

**CRL OP No. 31257 of 2025**

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Petitioner(s)

Vs

The State Rep by, The Sub Inspector of  
Police,  
Manalurpet Police Station, Kallakurichi  
District. Crime No. 318 / 2025.

Respondent(s)

**PRAYER** Criminal Original Petition filed under Section 482 of BNSS, 2023, to  
enlarge the petitioner on bail in the event of his arrest in Cr. No.318 of 2025 on  
the file of the respondent police.

For Petitioner : M/s.Raji

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

**ORDER**



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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 123 of BNS 2023 r/w 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.318 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the respondent police was on regular patrol, the petitioner along with other accused were found to be in possession of 15.600 grams of various type of banned tobacco products and the same was transported in a Car bearing Regn.No.DLSCAR0560 for selling around the villages. The respondent police has seized the said contrabands Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that the petitioner has been implicated only based on the confession of A1. He further submitted that the co-accused released on bail and



he is ready, without prejudice to his rights, to deposit a sum of Rs.20,000/- to any welfare scheme of the Government or any other organization as directed to the co-accused. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that there is no previous case against the petitioner . However, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6.Considering the above facts and circumstances of the case and the submissions made by the learned Counsels, there are no previous cases pending against the petitioner, co-accused was released on bail with condition to make non-refundable deposit and since the contraband has been recovered, this Court



is inclined to grant anticipatory bail to the petitioner with certain conditions.

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7. 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 is made ready, before the **learned Judicial Magistrate, Thirukovilur**, on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

**[a] The petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) as non-refundable deposit to the credit of Registered Advocate Clerks Association at Villupuram;**

**[b] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;**

**[c] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship**



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[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;

**[d] 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;**

[e] the petitioner shall not abscond either during investigation or trial and he shall make himself available for interrogation by a Police Officer as and when required;

[f] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses and shall not tamper with evidence or witness either during investigation or trial;

[g] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[h] 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



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CRL OP No. 31257 of 2025



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]**;

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

**17-11-2025**

gbi

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



CRL OP No. 31257 of 2025



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- 1.The State Rep by, The Sub Inspector  
of Police,  
Manalurpet Police Station, Kallakurichi  
District. Crime No. 318 / 2025.
- 2.The Judicial Magistrate, Thirukovilur.
- 3.The Public Prosecutor,  
High Court of Madras.



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CRL OP No. 31257 of 2025



**K.RAJASEKAR J.**  
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**CRL OP No. 31257 of  
2025**

**17-11-2025**