



WEB COPY

Crl.O.P.No.34635 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.34635 of 2025

1. Sakthi Ganesan

2. Anandharaj

... Petitioners/ A1 & A2

Vs

The State rep. by,
The Inspector of Police,
Thiruvalam Police Station,
Thiruvalam, Vellore District.
(Crime No.184 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in
Crime No.184 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. S. Sairaman

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



WEB COPY

Crl.O.P.No.34635 of 202



ORDER

The petitioners, who were arrested and remanded to judicial custody on 13.11.2025 for the offences punishable under Sections 7(5) and 20(2) of the Cigarettes and Other Tobacco Products Act, 2003 and Section 123 of BNS in Crime No.184 of 2025, registered on the file of the respondent police, seek bail.

2. The allegation against the petitioners herein is that, the petitioners were found in illegal possession of 130 kilograms of banned tobacco products. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they are in judicial custody since 13.11.2025; that the earlier bail application of the petitioners herein in Crl.O.P.No.33161 of 2025 was dismissed as withdrawn; and that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution



case and submitted that there are totally two accused involved in this case and the petitioners are arrayed as A1 and A2; that the first petitioner herein/ Sakthi Ganesan has five previous cases and the second petitioner herein/ Anandharaj has no previous antecedents; and that the investigation of this case is pending.

5. Considering the submissions made on both sides, nature of offence, the previous antecedents of the first petitioner herein/ Sakthi Ganesan and if he is enlarged on bail, he will indulge in similar offence, **hence this Court is not inclined to grant bail to the first petitioner herein/ Sakthi Ganesan.**

6. As far as the second petitioner herein/ Anandharaj is concerned, he has no previous antecedents, the contraband involved in this case was already seized and taking note of the period of incarceration undergone by him, this Court is inclined to grant bail to the second petitioner herein/ Anandharaj with certain conditions.

7. Accordingly, the **second petitioner herein/ Anandharaj** is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate at**



Katpadi, Vellore District and on further conditions that:

WEB COPY

[a] 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;

[b] the second petitioner herein/ Anandharaj shall report before the respondent police daily at 10:30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[c] 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]**;

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

17.12.2025

stn

Note :

4/6



1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate,
Katpadi, Vellore District.
2. The Inspector of Police,
Thiruvalam Police Station,
Thiruvalam, Vellore District.
(Crime No.184 of 2025)
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

stn



WEB COPY



Crl.O.P.No.34635 of 202

Crl.O.P. No.34635 of 2025

17.12.2025