



CRL OP No.35323 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35323 of 2025

Mohamed Ibrahim
S/o.Mr.Jabarulla,
2/309, Samarasa Nagar, Thethi,
Nagapattinam,
Nagapattinam District.

Petitioner(s)

Vs

The State rep. by,
The Inspector of Police,
Velipalayam Police Station,
Nagapattinam District.
(Crime No.326 of 2025)

Respondent(s)

PRAYER : To enlarge the Petitioner/Accused on Anticipatory bail in the event of his arrest in Crime No.326 of 2025 pending investigation on file of the respondent police.

For Petitioner(s): Mr.M.Sarathkumar

For Respondent(s): Mr.R.Vinothraja
Government Advocate
(Crl. Side)



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ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 275, 123 of BNS Act and Section 7, 20(1) of Cigarette and other Tobacco Products Act, 2003 in connection with the case in Crime No.326 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession of banned Tobacco products in his petty shop and the same was transported by using Car bearing Registration No.TN-45-BK-4041 for selling around the villages. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and on instructions, would submit that the contraband was recovered from the co-accused, the petitioner used his car for transporting the contraband and connected matters are pending, and hence, he strongly opposed to grant anticipatory bail to the petitioner.

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

6. Considering the nature of offences, no contraband was recovered from the petitioner and there is no bad antecedent against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

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 of receipt of a copy of this order, before the learned



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Judicial Magistrate No.II, Nagapattinam, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (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 conditions that:

[a] the petitioner and 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 on every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned



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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].

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

26.12.2025

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl / smn

Note :

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.



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To

1. The learned Judicial Magistrate No.II, Nagapattinam.
2. The Inspector of Police, Velipalayam Police Station,
Nagapattinam District.
3. The Public Prosecutor, High Court of Madras.



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P.DHANABAL, J.

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