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Crl.O.P.No.35632 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

Crl.O.P.No.35632 of 2025

Devendiran

... Petitioner / Accused -1

Vs

State of Tamil Nadu Rep. by
The Inspector of Police
Thirupattur Taluk Police Station,
Tirupattur Distirct
(Crime No.457/2025)

... Respondent / Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023 to enlarge the petitioner on bail in the event of his arrest in Crime No.457/2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

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

ORDER

The petitioner who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 7(1), 20(1) of Cigarette and



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Other Tobacco Products Act, 2003 and sections 275 and 123 of Bharatiya Nyaya Sanhita, 2023, in connection with Crime No.457 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on secret information received by the respondent police, one person was caught red handed and found in possession of 1.41 kg of banned tobacco products in a two wheeler. His statement revealed that the petitioner had sold the banned products to him. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he is innocent of the offences as alleged in the FIR. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterates the case of the prosecution and submitted that there are no pending cases against the petitioner. However, opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.



6. Considering the nature of the offence and quantity involved and also the fact that the petitioner has no previous cases pending against him, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 on which the order copy made ready, before the learned **Judicial Magistrate-II, Tirupattur** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent-police every Saturday at 10.30 a.m., for a period of four weeks.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

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



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[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.12.2025

shl/nsd

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.

To

1. The Judicial Magistrate-II,
Tirupattur
2. The Inspector of Police
Thirupattur Taluk Police Station,
Tirupattur Distirct
3. The Public Prosecutor
High Court of Madras

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P.DHANABAL, J.,

shl/nsd

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