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Crl.O.P.No.35811 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.12.2025

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.No.35811 of 2025

Surendra Singh

... Petitioner

Vs.

State Rep by,
The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
(Crime No.419 of 2025)

...Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.419 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.P.M.Jayachandran

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

ORDER

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 274, 123,

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336(2), 336(3) of the BNS Act, 2023 and Section 7 r/w 20(2) of COTPA

Act, 2003, in Crime No.419 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is A2 in this case, when the respondent police were in their routine patrol duty, they found the main accused / A1 was illegally transporting tobacco products such as Hans chaap tobacco 195 Kgs, Cool Lip, Filter Tobacco 17.236 Kgs, Vimal Pan Masala 15 Kgs and V-1 Tobacco 2.1 Kgs, totally 229.336 Kgs, in a car bearing Reg.No.TN11AL1830. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is a law-abiding citizen and he is ready and willing to furnish substantial sureties and to abide by any conditions that may be imposed by this Court; therefore, he prayed to grant anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the

respondent police reiterated the prosecution case and he added that the tobacco products have been seized. The petitioner was implicated based on the confession statement of the co-accused. He added that there is no previous case against the petitioner. However, he vehemently opposed the grant of anticipatory bail to the petitioner.

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

6. Considering the representation made by both sides, the nature of offences, and the quantity of tobacco products involved in this case, and considering the fact that the petitioner was arrayed as an accused only based on the confession statement of the co-accused, and since the products have already been recovered from the co-accused and that there are no previous cases pending against the petitioner, this Court is 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 (15)



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days from the date on which the order copy was made ready, before the

learned **Judicial Magistrate No.II, Krishnagiri**, 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 conditions that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four (4) weeks and thereafter, as and when required for the interrogation;

[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 or tamper with the evidence;

[c] the petitioner shall not leave India without the prior 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 absconds, a fresh FIR can be registered under Section 269 of the BNS.

30.12.2025

dna/kas

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 official website of this Court will be watermarked and will also have a QR code.



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P. DHANABAL, J.

dna/kas

Copy to:

1.The Judicial Magistrate No.II
Krishnagiri.

2. The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.
(Crime No.419 of 2025)

3.The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.

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