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CRL OP No. 35711 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35711 of 2025

Ashok
S/o.Mangi Lal, No.328, Samrado
Kidhani, Rawniyana, Jodhpur,
Rajasthan -342601.

Petitioner(s)

Vs

The State Rep by, The Inspector of
Police,
Vanagaram Police Station, Chennai.
Cr.No.175/2025.

Respondent(s)

PRAYER: - The Criminal Original Petition is filed under Section 482 of
B.N.S.S., praying to grant anticipatory bail to the petitioner in Crime No.175 of
2025 on the file of the respondent police.

For Petitioner(s): S Thirugnanam
A.Suresh Balaji
K.Prabhu

For Respondent(s): Mr. S.Udaya Kumar
Government Advocate
[Criminal Side]



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ORDER

The petitioner / Accused No. 3 , who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 274, 275, 123 of Bharatiya Nyaya Sanhita Act, 2023 and Under section 24(1) Cigarette and other Tobacco Products Act, in connection with the case in Crime No.175 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the on 18.08.2025, when the respondent police were in a routine check up near Porur tollgate, found the petitioner along with another accused were found in illegal possession of 718.5kg tobacco products and the same was seized by the respondent police. Hence, the case.

3. Learned counsel for the petitioner would contend that the petitioner are innocent; that he has have been implicated, only based on the confession of the co-accused; that the tobacco was seized by the respondent police; and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and on instructions, would submit that the respondent police seized the tobacco and the petitioner / A3 has no previous case against him.

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

6. Considering the nature of allegations, and that custodial interrogation of the petitioner is not required for the purpose of investigation, no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioner is are 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 No. II, Poonamallee** 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.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m until further orders.

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

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

[f] 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].



[g] If the accused thereafter abscond, a fresh FIR can be registered under

Section 269 B.N.S.

30.12.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

av/dsa

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.

To

1. The Inspector of Police,
Vanagaram Police Station,
Chennai.
2. The Judicial Magistrate No.II, Poonamallee.
3. The Public Prosecutor, High Court, Madras.



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P.DHANABAL J.

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