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CRL.O.P.No.35793 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.12.2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP.No.35793 of 2025

Ganesh Ram

... Petitioner

Vs.

The State represented by its,
The Inspector of Police,
Veeranam Police Station,
Salem District.
[Crime No.494 of 2025]

... Respondent

PRAYER: Criminal Original Petition filed under 482 of BNSS Act, 2023 to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime No.494 of 2025 on the file of the respondent Police.

For Petitioner : Mr.W.Camyles Gandhi

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

ORDER

The petitioner/ Accused No.1 apprehends arrest for the alleged offence punishable under Section 6(b) r/w 24(1) of Cigarette and other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.494 of 2025 on the 1/6



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file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that based on a complaint received from the *de facto complainant*, the respondent police went to the spot and found that a Black Scorpio Car bearing Registration No. UP-63-AM-0303 had collided with a tamarind tree in Salem to Harur National Highways. Upon searching the said vehicle, 300 kgs of banned tobacco products were recovered. After enquiry, the petitioner, who is the owner of the vehicle and other accused persons, were implicated in the case. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged and he had been falsely implicated in this case. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that 300 kgs of banned

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tobacco products were recovered from the petitioner's vehicle and that there is no previous case as against the petitioner and also the co-accused (A2 and A3) were already arrested and further, considering the gravity of offence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of the offence and the quantity of material involved in this case and that there is no previous case against the petitioner and also the co-accused (A2 and A3) were already arrested, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. 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) days from the date of receipt of a copy of this order before the ***Judicial Magistrate IV, Salem*** 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 and on further condition that:

[a] **the petitioner shall report before the respondent**



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police on everyday at 10.30 a.m. for a period of four weeks;

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[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 then from disclosing such facts of 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.

[e] the petitioner shall make herself available for interrogation by a police officer as and when required.

[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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.



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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 IV, Salem.
2. The Inspector of Police,
Veeranam Police Station,
Salem District.
3. The Public Prosecutor, High Court of Madras.



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P.DHANABAL,J.

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