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CRL OP No. 35548 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35548 of 2025

Raja

Petitioner(s)

Vs

The State Rep by The Inspector of
Police
Anandapuram Police Station,
Villupuram District. Crime No. 205 of

Respondent(s)

PRAYER

The Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant Anticipatory bail to the petitioner and order to enlarge him on bail in the event of arrest in Crime No. 205 of 2025 by the Respondent Police.

For Petitioner(s): Mr.Muruganandham K

For Respondent(s): Mr.S.Udaya Kumar,
Govt. Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 274, 275, 123 of BNS, 2023 read with Section 24(1) and 6(b) of Cigarettes and other Tobacco Products Act, (COTPA), in Crime No.205 of 2025, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner along with other accused was found in possession of 28 Kgs of tobacco products. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would reiterate the case of the prosecution and on instructions would submit that the petitioner has no previous cases pending against him and the investigation is completed and charge sheet has been filed.

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

6. Considering the nature of offence, the fact that the petitioner has no previous cases pending against him and the quantity involved and that the investigation is completed and charge sheet is filed, 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 days from the



date on which the order copy made ready, before the **Judicial Magistrate, Gingee** 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 on every Saturday at 10 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 them 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.

[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 B.N.S.2023.

30-12-2025

dsa/av



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

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1. District Munsif cum Judicial Magistrate, Gummidipoondi.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police, Anandapuram Police Station, Villupuram District.



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P.DHANABAL J.

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