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CRL OP No. 35704 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35704 of 2025

1. Prabakaran
S/o.Kaliyaperumal
No.8/42, Mariamman kovil Street,
Koyyathoppu, Panruti, Cuddalore,
Tamilnadu-607108.

2. Ambika
W/o.Prabakaran,
No.8/42, Mariyamman Koil Street,
Koyyathoppu, Panruti, Cuddalore.
Tamilnadu-607 108.

Petitioner(s)

Vs

The State Rep by, The Inspector of
Police,
Panruti Police Station, Cuddalore
District. Cr.No.529/2025.

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.529 of
2025 on the file of the respondent police.

For Petitioner(s): M/s.Gayathri

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



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ORDER

The petitioners / Accused-2 & 3 , who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 275, 123 of Bharatiya Nyaya Sanhita Act, read with 24 COTPA Act, in connection with the case in Crime No.529 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners are merely running a shop, and A1 is only a worker employed by the petitioners. On 14.12.2025, A1 was found in possession of 400 grams of tobacco products, namely 'Cool Lip'. A1 disclosed that the said products were procured from A2 and A3, and based on the said confession, the name of the petitioners were added. Hence, the case.

3. Learned counsel for the petitioners would contend that the petitioners are innocent; that they 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 petitioners.



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 first petitioner/A2 has three previous cases against him, whereas the second petitioner / A3 has no previous case against her, and in the existing cases, they are on bail.

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 fact that bail has already been granted to the co-accused / A1, and that custodial interrogation of the petitioners is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate I, Panruti** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, 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 petitioners 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 petitioners shall report before the respondent police every Saturday at 10.30 a.m for a period of four weeks.

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

[e] the petitioners 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,
Panruti Police Station,
Cuddalore District.
2. The Judicial Magistrate I Panruti.
3. The Public Prosecutor, High Court, Madras.



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P.DHANABAL J.

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