



WEB COPY



Crl.O.P.No.676 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.676 of 2026

Ashraf Ali @ Ashrath Ali

... Petitioner/ A2

Vs

The State Rep. By,
The Inspector of Police,
C-4, Vellimedupettai Police Station,
Villupuram.

(Crime No.162 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on
anticipatory bail in the event of arrest by the respondent in Crime No.162 of
2025 on the file of the respondent police.

For Petitioner : Mr. N.Sivaraman

For Respondent : M/s. J.R. Archana

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 274, 275 and 112(2) of the BNS, 2023 r/w Section 24(1) of the Cigarette and other Tobacco Products Acts, 2003, in Crime No.162 of 2025 on the file of the respondent Police, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that when the respondent police conducted a raid, the petitioner along with the other accused were found with illegal possession of 105 pieces of Hans (banned tobacco products). Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, he was not in the scene of occurrence; only based on the confession of the first accused, the petitioner has been roped in this case and that the petitioner has not involved in any offence as alleged and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that as per the complaint, the petitioner along with the other accused involved in illegal possession of banned tobacco products and that there is one previous case as against the petitioner and that the investigation of this case is pending.



5. Considering the submissions made, facts and circumstances of this case, nature of allegation, there is no previous case as against the petitioner, quantity of contraband involved in this case and since custodial interrogation of the petitioner herein is not necessary for the purpose of investigation, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Tindivanam**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of copy of this order, this Order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice,



WEB COPY



Crl.O.P.No.676 of 2026

2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

12.01.2026

ssa



WEB COPY

To

1. The Judicial Magistrate-I, Tindivanam.
2. The Inspector of Police,
C-4, Vellimedupettai Police Station,
Villupuram.
(Crime No.162 of 2025)
3. The Public Prosecutor,
High Court of Madras.



Crl.O.P.No.676 of 2026

K. RAJASEKAR, J.

ssa

Crl.O.P. No.676 of 2026

12.01.2026