

Tola Ram Vs State Represented by

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Court : Chennai

Decided On : Jan-30-2026

Judge : Honourable Mr.Justice K.Rajasekar

Appeal No. : CRL OP/2163/2026

Appellant : Tola Ram

Respondent : State Represented by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

1. Tola Ram S/o.Bharatram, No.1, Maheer Mobiles, Kattukudalore Road, Virudhachalam post, Cuddalore District. Petitioner(s) Vs

1. State Represented by The Inspector of Police, Mallur Police Station, Salem District. Crime No.302 of 2024 Respondent(s)

PRAYER To enlarge the Petitioner on anticipatory bail in the event of his arrest Crime NO.302 of 2024 pending investigation on the file of the respondent police and thus render justice. For Petitioner(s): S.Nishanthi For Respondent(s): M/S.J.R.Archana Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 123, 336(3) of BNS r/w. Section 7, 20(2) of Cigarette and other Tobacco Products Act 2003 and section 52, 59 of Food safety and Standards Act 2006 in Crime No. 302 of 2024, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is ranked as A3 in this case, he joined hands with other accused involved in transporting 390 kgs of banned tobacco products. Hence, the case has been registered.

3. The learned counsel for the petitioner would submit that the occurrence had taken place in the year 2024 and already two other accused were arrested and released on bail, and the petitioner is ready to cooperate with the investigation. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that investigation is pending and the petitioner has one previous case under Section 397 IPC. Hence, she opposed the grant of anticipatory bail to the petitioner.

5. Considering the nature of the allegations and the fact that the case is of the year 2024 and the arrested accused were released on bail, 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 on which the order copy made ready, before the learned Judicial Magistrate-

VI, Salem, 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:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a 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, 2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560];

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS. 30-01-2026 Mpa Index:Yes/No

Speaking/Non-speaking order

Internet:Yes Neutral Citation:Yes/No To 1.Judicial Magistrate-VI, Salem. 2.State Represented by The Inspector of Police, Mallur Police Station, Salem District. Crime No.302 of 2024 3.The Public Prosecutor, High Court of Madras. K.RAJASEKAR J. mpa CRL OP No. 2163 of 30-01-2026

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