



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16500 of 2026

A.Karthick
S/o.K.Annamalai,
D.No. 9/422 Ulagappanur
Sankari Taluk, Ernapuram,
Magudanchavadi Post,
Salem District.

..Petitioners/sole Accused.

Vs

State rep. by The Inspector of Police,
Mangudanchavadi Police Station,
Salem District.
Crime No.189 of 2026

..Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the Petitioners on Bail in the event of his arrest pending investigation in Crime No.189 of 2026 on the file of the respondent police.

For Petitioner: Mr.C.S.Saravanan

For Respondent: MS.R.S.INDIRA, GOVT.ADVOCATE
(CRL.SIDE)



ORDER

The petitioner, who apprehends arrest for the alleged offences under Section 24(1) of the Cigarettes and Other Tobacco Products Act 2003 and Section 123 of BNS, 2023 in Crime No.189 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of banned tobacco products namely 27 pockets of cool lip, 13 hans pockets, 108 Vimal pockets, V-1 Tobacco 157 pockets, total weighing around 25 kg . Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and that they have not committed any offence as alleged by the prosecution and he is ready to abide any conditions as ordered by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner has no previous cases registered against him. Considering the quantity of the banned tobacco recovered, the government advocate does not oppose the grant of bail.

5. Upon considering the submissions and the quantity of banned tobacco involved, and considering the voluntary deposit undertaking, this Court is of the firm view that, at this length of time, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioners on bail,



subject to certain conditions. At this juncture, the learned counsel for the petitioner voluntarily undertakes to pay a sum of Rs.75,000/- as non-refudnable deposit to any of the welfare scheme without prejudice to their defence.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned **Judicial Magistrate-II, Sankari**, and subject to the following conditions:

[a] 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 the identity proofs to ensure their identity;

(b) the petitioner shall make a non-refundable deposit of **Rs.75,000/- (Rupees Seventy Five Thousand only)** in favour of the **Dean, Government Medical College and Hospital, Salem** to comply with the conditions imposed by this Court in Crl.O.P.No. 16500 of 2026 dated 30.06.2026, within two weeks from the date on which the order copy is made ready, failing which, the anticipatory bail shall stand automatically cancelled.

[c] the petitioner shall report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. for a period of 45 days, and thereafter as and when required for interrogation;

[d] the petitioner shall not abscond either during investigation or trial;



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[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[f] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

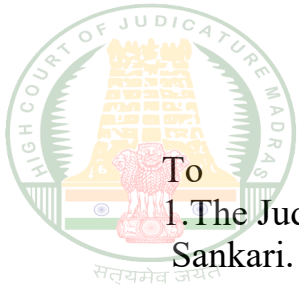
[g] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

30.06.2026

jrs

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 No.II,
Sankari.

2. The Inspector of Police,
Mangudanchavadi Police Station,
Salem District.
Crime No.189 of 2026

3. The Public Prosecutor,
Madras High Court.

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CRL OP No. 16500 of 2



C.KUMARAPPAN, J.

JRS

CRL OP No. 16500 of 2026

30-06-2026