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CRL OP No. 21489 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 21489 of 2026

1. Annubai @ Akbar Basha
2. Shakeela Begum

..Petitioners

Vs

State Rep By,
The Inspector of Police,
Vaniyambodi Town Police Station,
Tirupattur District.
[Crime No. 284/2026]

..Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioners on bail in the event of their arrest in Crime No. 284/2026 pending investigation on the file of the respondent.

For Petitioners:

Mr.E. Kannadasan

For Respondent:

Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 6(a), 24(1) of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act 2003 r/w Section 123 of BNS 2023, in Crime No.284 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioners were found illegally selling banned tobacco products, namely: 12 kg of Hans Chhap Tobacco, 1.166 kg of Cool Lip, 2.850 kg of Vimal Pan Masala, and 16.436 kg of VI Tobacco. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case and are in no way connected to the alleged offence. Hence, he prays that the petitioners be granted anticipatory bail.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution's case and submitted that the 1st petitioner has five previous cases and the 2nd petitioner has two previous cases. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. Considering the submissions made by the learned Government Advocate (Criminal Side) that the 1st petitioner has five previous cases of a similar nature, and that his indulgence in similar activities demonstrates a propensity for recidivism, **this Criminal Original Petition stands dismissed as**



far as the 1st petitioner is concerned.

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7. Though the 2nd petitioner has two previous cases of a similar nature, considering that she is a woman, this Court is of the firm view that her custodial interrogation is not required. Hence, this Court is inclined to grant anticipatory bail to the 2nd petitioner, subject to certain conditions.

8. Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Vaniyambodi** on condition that **the 2nd petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the 2nd petitioner fails to surrender before the concerned learned 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 2nd petitioner shall report before the respondent Police, daily 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 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd petitioner released on anticipatory 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 2nd petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

06-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VEDA

To

1.Judicial Magistrate, Vaniyambodi.

2.The Inspector of Police,
Vaniyambodi Town Police Station,
Tirupattur District.

3.The Public Prosecutor, High Court, Madras.



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C.KUMARAPPAN, J.

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