



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.30596 of 2025

1.Kanagaraj

2.Sekar

... Petitioners

Versus

The State rep by its,
The Inspector of Police,
Kandili Police Station,
Tirupattur District.
(Crime No.225 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in the event of his arrest in Crime No.225 of 2025 on the file of the respondent police.

For Petitioners : Mr.S.Yavavarun

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest by the respondent police for the offence punishable under Section 6(a), 24(1) Cigarette and Tobacco Products Act, 2003 r/w 123 of BNS, in Crime No.225 of 2025 seeks anticipatory bail.



2.The allegation against the petitioners is that the petitioners involved in possession and transportation of 16.752 kgs of banned Tobacco Products from Karnataka. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the first petitioner is the owner and the second petitioner is the driver of the vehicle. He further submitted that they were not aware of the contraband transported in the vehicle. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the contraband was seized, that the petitioners have no previous cases pending against them and that the investigation is still pending. However, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the nature of allegations, the fact that the petitioners have not involved in previous cases and that the contraband seized is 16.752 kgs of tobacco



products, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioner are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.II, Tirupattur District*, on condition that the petitioner shall execute a separate bond for a sum of Rs.15,000/- (Rupees Fifteen 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 and on further condition that:

(a) 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;

(b) the petitioners shall report before the respondent police, everyday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;



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(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

10.11.2025

drl

To

1.The Judicial Magistrate No.II,
Tirupattur District.

2. The Inspector of Police,
Kandili Police Station,
Tirupattur District.

3.The Public Prosecutor,
High Court, Madras.

K.RAJASEKAR, J.

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