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Crl.O.P.No.933 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.933 of 2026

Machechandhar S/o.Mahendirakumar

... Petitioner

Vs

The State Rep. By,
The Inspector of Police,
D-3, Palur Police Station,
Chengalpattu District.

(Crime No.Not known of 2026)

... 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.**Not
known of 2026** on the file of the respondent police.

For Petitioner : Mr. Rajadurai

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 123 of the BNS, 2023 r/w
Section 77 of JJ Act and Section 24(1) of COTPA Act, in Crime No.Not
known of 2026 on the file of the respondent Police, seeks anticipatory bail.



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 129 packets of banned tobacco products of 20 grams each. 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; that the petitioner has been unnecessarily 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 the case has been registered in Crime No.199 of 2025 for the alleged offences under Section 123 of the BNS, 2023 r/w Section 24(1) of COTPA Act, as per the complaint, the petitioner along with the other accused involved in illegal possession of banned tobacco products and there is no 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



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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 No.I, Chengalpattu**, 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, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



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[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

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K. RAJASEKAR, J.

ssa

To

1. The Judicial Magistrate Court No.I, Chengalpattu.
2. The Inspector of Police,
D-3, Palur Police Station,
Chengalpattu District.
(Crime No.Not known of 2026)
3. The Public Prosecutor,
High Court of Madras.

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