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CrI.O.P.No.1221 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

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THE HONOURABLE Mr. JUSTICE K. RAJASEKAR

CrI.O.P.No.1221 of 2026

Bal Chandran Gowda

... Petitioner/A6

Vs.

State rep. by
The Inspector of Police,
Mandharakuppam Police Station,
Cuddalore District.
(Crime No.138 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in event of arrest pending investigation in Crime No.138 of 2025 on the file of the respondent police.

For Petitioner : Mr.Camyles Gandhi.W
For Respondent : Ms.J.R.Archana,
Government Advocate (CrI.Side)

ORDER

The petitioner apprehends arrest for the alleged offence **under Sections 286, 123, 335(2), 336(3), 340(2) of BNS, R/w.24(1), 6(b) of Cigarette and Other Tobacco Product Act, 2003, in Crime No.138 of 2025** on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner is the owner



of the car which was used for illegal transportation of 136 kgs of banned tobacco products from Karnataka to Tamil Nadu. The said vehicle was intercepted by the police officials arrested A1 and A2 and the statements were recorded from them and the statements revealed that the petitioner is the owner of the vehicle and he was also aware about the transportation of the banned tobacco products in his vehicle and that he was added as an accused. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the defacto complainant and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and he is ready to cooperate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner was aware that the vehicle was being used for transportation of banned tobacco products and that the investigation in this case is pending. Hence, she opposed to grant anticipatory bail to the petitioner.

5. I have also gone through the statements recorded from the arrested accused.



6. On perusal of the statements revealed that the petitioner's vehicle is being used for transportation of the tobacco products and though it is stated that there is a reference that the petitioner is also aware about the occurrence for which the vehicle was used, the co-accused statement revealed that the majority of the allegations only levelled against the other accused namely Ronak Singh, S/o. Baldevsingh. Hence, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. 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 is made ready, before the **learned District Munsif Cum Judicial Magistrate, Neyveli**, on condition that **the 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 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

K.RAJASEKAR, J.



[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 three 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 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

22.01.2026

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To

- 1.The District Munsif Cum Judicial Magistrate, Neyveli.
2. The Inspector of Police, Mandharakuppam Police Station, Cuddalore District.
- 3.The Public Prosecutor, High Court of Madras.

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