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Crl.OP.No.1498 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.1498 of 2026

1.Dhanapal
2.Sharpudheen

... Petitioners

Vs.

The State Rep., by
The Inspector of Police,
Thellar Police Station,
Tiruvannamalai District.
(Crime No. 8 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in the event of
their arrest in Cr.No.8 of 2026 on the file of the respondent police.

For Petitioners : Mr. E. Sathiyaraj Elangovan

For Respondent : Ms. J.R. Archana
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under
Sections 275, 123, 62 of BNS Act (corresponding Section 273, 328, 511 of
IPC) and Section 6(b), 24(1) of Cigarette and other Tobacco Products Act,



2003 in Crime No.8 of 2026, on the file of the respondent police seek anticipatory bail.

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2. The case of the prosecution is that based on the secret information, when the respondent police went to the scene of occurrence, they found that the petitioners along with others were found in possession of 72.945kgs of banned tobacco products worth about Rs.41,976/-. Hence, the complaint has been lodged against the petitioners, pursuant to which, the present petition has been filed.

3. The learned counsel appearing for the petitioners submitted that the petitioners herein have ranked as A3 and A4, based on the confession of co-accused/A1 and A2, they been added in this case. He further submitted that the petitioners are ready to cooperate with the investigation. Therefore, he prayed that anticipatory bail be granted to the petitioners.

4. The learned Government Advocate(Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there are no previous cases against them and investigation in this case is pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of the allegations and the fact that there are no previous cases against them, property involved in this case already



recovered, though investigation in this case is pending, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

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7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Judicial Magistrate, Vandavasi, Tiruvannamalai District** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.20,000/- (Rupees Twenty Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(a) If the petitioners 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 (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 petitioners 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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

29.01.2026

Vv

To

1. The Judicial Magistrate, Vandavasi, Tiruvannamalai District
2. The Inspector of Police,
Thellar Police Station,
Tiruvannamalai District.
3. The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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