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CrI.OP.No.2912 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CrI.O.P.No.2912 of 2026

Sabarith

... Petitioner

Vs.

The Inspector of Police,
Karunya Nagar Police Station,
Coimbatore.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in the event of the arrest in connection with the Cr.No.19 of 2026 on the file of the respondent police.

For Petitioner : Mr.Bhavani

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 123 of BNS and Section 24(1) of COTPA Act, 2003 in Cr.No.24 of 2026 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that on 21.09.2025 at 03.00 a.m., when the respondent police were vehicle checkup, they have found that the A1 and A2 were found to be in illegal possession of banned tobacco products and the police team have seized 57 packets of coolip packets from A1's bullet bike tank cover and also seized 1330 packets of Vimal, 160 packets of Ganesh, 293 packets of Coolip, and 590 packets from A2, Iyyappan's car back side seat. It is further alleged that the petitioner is ranked as A4 as supplied the alleged contraband to the A1 to A3 who were arrested, which led to registration of an FIR. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he has not supplied any contraband to the petitioner. He further submitted that the petitioner is ready to cooperate for the investigation and also ready and willing to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side), appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner is ranked as A4 and he is having one previous case of NDPS nature. She further submitted that already final report has been filed and the



same has been taken on file in PRC.No.300 of 2025 on the file of the learned Judicial Magistrate-V, Coimbatore and summons have been issued. Hence, he vehemently opposed the grant of anticipatory bail.

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

6. Considering the nature of allegations, the fact that already investigation has been concluded and final report filed and since it is stated that the offences are tried by the sessions. 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 made, before the learned **Judicial Magistrate-V, Coimbatore** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(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 (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 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 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

09.02.2026

Vv



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To

- 1.The Judicial Magistrate-V, Coimbatore.
- 2.The Inspector of Police,
Karunya Nagar Police Station,Coimbatore.
- 3.The Public Prosecutor
High Court of Madras, Chennai 600 104.



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K.RAJASEKAR, J.

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