



WEB COPY

Crl.O.P.No.4888 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.4888 of 2026

Pravin Kumar

... Petitioner

Vs.

State rep by
The Inspector of Police,
Hudco Police Station,
Krishnagiri District.
(Crime No. 252 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 the event of arrest in Crime No.252 of 2025 on the file of the respondent police.

For Petitioner : Mr.Udhayaraj

For Respondent : Mr. P. Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 6, 20(1) of Cigarette and Other Tobacco Products Acts 2003, Section 123 of BNS, 2023 and Section 4(a)(a) of Tamil Nadu Prohibition Act, in Crime No.252 of 2025 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner has illegally transported 157.100 kgs of banned tobacco products worth about Rs.42,630/- and also found in a possession of 20 packets of Karnataka State liquor, each containing 180 ml and the same were seized by the respondent police. Hence, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that this is the third anticipatory bail petitions and the earlier petitions were dismissed on the ground that the quantity of contraband seized. He further submitted that the petitioner has no previous case against him. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that the petitioner had purchased the banned contraband from other State and brought it to the Tamilnadu in a car and the same was seized by the respondent police. Hence, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

6. Though the learned counsel for the petitioner vehemently contended that this is the third anticipatory bail application, the very nature of the offence



alleged against the petitioner is illegally transporting 157.100 kgs of tobacco products which is a serious offence against the society at large. No doubt, the liberty of the petitioner is very important, but at the same time, the larger interest of the society cannot be ignored. Considering the larger interest of the society, this Court does not find any merits in entertaining the present application for anticipatory bail.

7. It is made clear that the mere dismissal of the anticipatory bail application does not result in automatic arrest. It is the duty of the police to follow the ratio laid down by the Hon'ble Supreme Court in *Satender Kumar Antil v. Central Bureau Of Investigation*, reported in (2026 INSC 115) and 2025 SCC OnLince SC 1578, wherever it is applicable.

8. With the above observation, this Criminal Original Petition is dismissed.

09.03.2026

DRL

To

1.The Inspector of Police,
Hudco Police Station,
Krishnagiri District.

2.The Public Prosecutor,
High Court of Madras.

3/4



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C.KUMARAPPAN.J.

DRL

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