



WEB COPY

CRL OP No. 4842 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4842 of 2026

Maila

W/o. Kannan,

No.1321, Palli Colony,

CC Road, Santhavasal,

Tiruvannamalai District.

..Petitioner(s)

Vs

State by, Inspector of police,

Santhavasal Police Station,

Tiruvannamalai District .

Crime No. 25 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail in the event of arrest by the respondent police in Crime. No.25 of 2026 on the file of the respondent police and thus render justice.

For Petitioner(s):

For Respondent(s):

Thirumoorthy D

M/S.J.R.Archana

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 6(b), 24(1) of Cigarette and Other Tobacco Products Act, 2003 [COTPA Act] and 275 and 123 of BNS Act, 2023 [273 & 328 of IPC] in Crime No. 25 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner along with other accused was found in possession 100 grams of banned tobacco products. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case and is ready to co-operate with the investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner was found in possession of 100 grams of banned tobacco products. She further submitted that the petitioner has one previous case of similar in nature and the property has been recovered. However, she opposed for grant of bail to the petitioner.

5. Considering the quantity involved in this case and though one previous case reported against the petitioner, this Court is inclined to grant 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 his appearance, within a period of fifteen (15) days from the date



on which the order copy made ready, before the **learned District Munsif Cum Judicial Magistrate, Polur**, 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:

(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 petitioner shall report before the respondent police everyday 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on 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];



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K.RAJASEKAR, J.

MPA

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

26-02-2026

MPA

To

1.The District Munsif Cum Judicial Magistrate, Polur.
2.State by, Inspector of police,
Santhavasal Police Station,
Tiruvannamalai District .
Crime No. 25 of 2026

3.The Public Prosecutor,
High Court, Madras.

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