



WEB COPY



Crl.O.P.No.6049 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.6049 of 2026

Govindsingh

... Petitioner/A2

Vs.

State by,
Inspector of Police,
Kaveripakkam Police Station,
Ranipet District.
(Crime No.381 of 2025)

... Respondent

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 pending investigation in Crime No.381 of 2025 on the file of the respondent police.

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

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 7(5) and 20(2) of Cigarette and other Tobacco Products Act, 2003 [COTPA Act], and 123 of BNS Act, 2023 [328 of IPC] in Crime No.381 of 2025**, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with other



accused, illegally transported banned tobacco products such as Ganesh 701 tobacco, Cool lip, Vimal pan masala and VI tobacco, weighing a total of 420 kgs, for the purpose of sale and the said contraband was seized by the respondent police.

3. The learned counsel for the petitioner submitted that the total cost of seized tobacco product is only Rs.4,200/- and that considering the pendency of First Information Report since 13.11.2025, at this length of time, no custodial interrogation of the petitioner is required. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays 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 since the co-accused has already been enlarged on bail by this Court on 13.12.2025 in Crl.OP.No.35936 of 2025 would contend that this petitioner may also be enlarged on anticipatory bail as no custodial interrogation is necessary. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.



6. Though the learned Government Advocate (Crl.Side) would strongly oppose the anticipatory bail application of the petitioner would fairly concede that, at this length of time, no custodial interrogation of the petitioner is necessary. Apart from that, while looking at the factual position that the co-accused has already been released on bail. Considering the fact that the petitioner does not have any previous cases and upon the ground that the co-accused has been released on bail, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory 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-I, Walajah**, 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 (Judicial Form No.46 annexed to 'The Criminal Rules of Practice,



WEB COPY



CrI.O.P.No.6049 of 2020

2019]'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) The petitioner shall sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., for a period of eight 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.

09.03.2026

ssi

To:

1.The District Munsif cum Judicial Magistrate-I,
Walajh.

2.The Inspector of Police,
Kaveripakkam Police Station,
Ranipet District.

4/6



3.The Public Prosecutor,
High Court of Madras.

WEB COPY



CrI.O.P.No.6049 of 2020

C.KUMARAPPAN, J.

ssi



WEB COPY



Crl.O.P.No.6049 of 2026

Crl.O.P.No.6049 of 2026

09.03.2026