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CRL OP No. 7195 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7195 of 2026

Kishore @ Mahender Kumawat
S/o.Mangilaji,
No.1, Madurantakam Road,
Saravanabakam Village, Chithamoor Post,
Madurantakam Taluk,
Chengalpattu District.

..Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
Chunambedu Police Station,
Chengalpattu District.
Crime No.272 of 2025

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to ENLARGE THE PETITIONER ON BAIL in the event of arrest on connection with Crime No. 272 of 2025 pending investigation the file of Respondent police and thus render Justice.

For Petitioner(s):

M/s.S.Sri Karthik

For Respondent(s):

Mr.P.Dhileepan
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 123 of BNS, 2023, r/w. Section 24(1) of Cigarette and Other Tobacco Products Act, 2003, in Crime



No. 272 of 2025, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner was found in illegal possession of 42 kgs of banned tobacco products without valid permission. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that this is the fourth anticipatory bail petition and the earlier petitions were dismissed by this Court in Crl.O.P.Nos.28537 & 29832 of 2025 and 668 of 2026 dated 17.10.2025, 03.11.2025 and 12.01.2026 respectively. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant 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 was found in illegal possession of 42 kgs of banned tobacco products and that one previous case of a similar nature is pending against him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the nature and gravity of the offence and the fact that the petitioner has 1 previous cases of a similar nature, which clearly demonstrates



that the petitioner has misused the liberty granted by this Court and subverts the course of justice by again committing the similar offences.

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6. In view of the above factual position though right to personal liberty of an individual is important, it is the duty of this Court to consider the societal aspect. Considering the past conduct of the petitioner, this Court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly, this Criminal Original Petition stands dismissed.

23-03-2026

MPA

To

1.The Inspector of Police,
Chunambedu Police Station,
Chengalpattu District.
Crime No.272 of 2025

2.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

MPA

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