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CRL OP No. 6112 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6112 of 2026

C. Ananthanarayanan
S/o. Chandran,
No.27B, VOC Nagar.
Ganapathy,
Coimbatore North,
Commbatore - 641 006

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
Sirumugail Police Station,
Coimbatore District.
Crime No.48 of 2026

..Respondent(s)

To enlarge the petitioner on Bail in the event of arrest pending investigation in Crime No.48 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.C.S.Saravanan

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 123 of BNS, 2023 (328 of IPC) and Section 24(1) of COTPA, in Crime No.48 of 2026, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner, along with the other accused were found to be in illegal possession of 500 kgs of banned tobacco products. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner has no bad antecedents. He would further submit that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner was acted as a mediator and received commission. He would further submit that there is no recovery from the petitioner and no previous case is pending against him. However, he vehemently opposed for the grant of anticipatory bail.

5. From the submissions made by the learned Government Advocate, there is no recovery from the petitioner and the specific overt act against the petitioner that he made arrangements for the purchase and sale of tobacco products, for which he received only commission. Though this Court is very serious in respect of the offence against tobacco, this petitioner so far as not



come to the adverse notice of the respondent and even in the present case, there is no serious overt act pleaded against the petitioner.

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6. In such view of the position and also taking into consideration the age of the petitioner, with a fond hope that he would mend himself in future and would not come under the adverse notice of the police, this Court is inclined to enlarge him on anticipatory bail, subject to stringent 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 is made ready, before the **Judicial Magistrate, Mettupalayam**, 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 learned 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 twice at 10.30 a.m and 5.30 p.m, until further orders.

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(f) 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]*;

(g) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

- 1.The Judicial Magistrate, Mettupalayam.
- 2.The Inspector of Police, Sirumugail Police Station, Coimbatore District.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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