



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.6814 of 2026

Yashin
S/o. M A Khadhar Basha,
No.1-89, Mittapalle, Kuppam,
Chittoor Andhra Pradesh - 517425.

...Petitioner/A2

Vs

The State represented by
The Inspector of Police,
Natrapalli Police Station,
Tirupathur District.
Crime No.96 of 2026

...Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suiraksha Sanhita, to enlarge the petitioner on bail, in the event of his arrest, in Crime No.96 of 2026 on the file of the Inspector of Police, Natrapalli Police Station, Thirupathur District.

For Petitioner:

M/S.Siddharth.S

For Respondent:

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



ORDER

The petitioner/A2, who apprehends arrest for the alleged offences **under Sections 6(a) and 24(1) of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution Act), 2003 r/w 123 of the Bharathiya Nyaya Sanhita (BNS) Act, 2023 in Crime No.96 of 2026**, on the file of the respondent police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner was involved in the illegal possession of 1500 packets of HANS chaap tobacco (each packet containing 20 grams) for the purpose of selling to the general public. Hence, the case.

3. The learned counsel for the petitioner/A2 submitted that the petitioner is innocent and he has not committed any such offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the co-accused has already been released on bail and the petitioner is ready to abide by any stringent condition that may be imposed by this Court and he is ready to cooperate 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 that the worth of the tobacco products is Rs.12,000/- (Rupees Twelve Thousand Only) and, upon instructions, submitted that no previous cases have been registered against the petitioner. 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. 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 Judicial Magistrate No.III, Thirupathur District**, 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, 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.

17-03-2026

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Copy to

1. The Judicial Magistrate No.III,
Thirupathur District.
2. The Inspector of Police
Natrampalli Police Station,
Tirupathur District.
3. The Public Prosecutor
High Court of Madras.

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C.KUMARAPPAN, J.

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