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CRL OP No. 7251 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. 7251 of 2026**

Venkatesan  
S/o Palani,  
No.575, South Street,  
Kalamarudur,  
Ulundurpet Taluk,  
Kallakurichi District.

..Petitioner(s)

Vs

State Rep by Inspector of Police,  
Kalamarudhur Police Station,  
Kallakurichi District.  
Crime No. 25 of 2026

..Respondent(s)

**PRAYER :** Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioners on anticipatory bail in the event of the arrest pending investigation in Crime No. 25 of 2026 on the file of respondent police and thus render justice.

For Petitioner(s): G.Saravanabhavan

For Respondent(s): Mr.P.Dhileepan  
Government Advocate (Crl.Side)

### **ORDER**

The petitioner apprehends arrest for the alleged offence under Sections 123 of BNS 2023 r/w. 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.25 of 2026 on the file of the respondent police seeks anticipatory



bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 3.6 kgs of banned tobacco products. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would strongly oppose the petition on the ground that the petitioner was found in possession of 3.6 kgs of banned tobacco products, which were seized from him and he has no previous cases pending against him.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.



6. Considering the fact that the petitioner has no previous cases and on the fond hope that he would mend his conduct in future and not come under the adverse notice of the respondent, and further considering that the quantity involved is 3.6 kgs, 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 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 **learned Judicial Magistrate-II, Ulundurpet**, 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;



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(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two week 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.

MPA

23-03-2026



To

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1. The Judicial Magistrate-II, Ulundurpet.

2. The Inspector of Police,  
Kalamarudhur Police Station,  
Kallakurichi District.  
Crime No. 25 of 2026

3. The Public Prosecutor,  
High Court, Madras.



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**C.KUMARAPPAN, J.**

**MPA**

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