



WEB COPY

CRL OP No. 7275 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. 7275 of 2026

Sundharamoorthy @ Sundaramurithi
S/o.Subramani,
No.13, Murugan Kovil Street,
Kattanchimedu Village,
Gingee Taluk,
Villupuram District-631501.

..Petitioner(s)

Vs

The State rep.by,
The Inspector of Police,
Gingee Police Station,
Gingee,
Villupuram District.
Cr.No.415 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 by the respondent police in connection with the complaint against thePetitioner in Crime No.415 of 2025, on the file of Inspector of Police, Gingee Police Station, Villupuram District.

For Petitioner(s):

A.Inbasekaran

For Respondent(s):

Mr.P.Dhileepan

Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 123, 274 and 275 of BNS 2023 and section 6 and 24(1) of Cigarette and other



Tobacco Products Act, 2003, in Crime No.415 of 2025 on the file of the respondent police seeks anticipatory bail.

WEB COPY

2. The case of the prosecution is that the petitioner was found in illegal possession of 90 pockets of banned tobacco products, weighing about 1.8 kgs. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is a differently abled person and has no previous cases. He further submitted that 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, contending that the petitioner was found in possession of 90 pockets of banned tobacco products, weighing about 1.8 kgs, which were seized from him.



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

WEB COPY

6. Considering the physical condition of the petitioner, the fact that he is a differently abled person with no previous cases, and that the FIR was registered on 02.10.2025, this Court is of the view that custodial interrogation of the petitioner is not required at this stage. Hence, taking into account his medical and physical condition, 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, Gingee, Villupuram 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 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 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

WEB COPY

1. The Judicial Magistrate, Gingee, Villupuram District.
2. The Inspector of Police,
Gingee Police Station,
Gingee,
Villupuram District.
Cr.No.415 of 2025.
3. The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL OP No. 7275 of 2



C.KUMARAPPAN, J.

MPA

CRL OP No. 7275 of 2026

23-03-2026