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Crl.O.P.No.9085 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.9085 of 2026

Kaleem, S/o.Anwar Basha

... Petitioner

Vs.

State By
Inspector of Police,
Vaniyambadi Taluk Police Station,
Thirupathur District.
(Crime No.82 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, pleased to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.82 of 2026 on the file of the Inspector of Police, Vaniyambadi Taluk Police Station, Thirupathur District or on his appearance before the concerned Court.

For Petitioner : Mr.S.Sasikumar
For Respondent : Mr.P.Dhileepan,
Government Advocate (Crl.Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 6(a), 24(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 123 of BNS, 2023 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 was found in possession of 10 packets of Hans and 100 packets of vimal pan masala, which are banned tobacco products. Hence, the present case.

3. The learned counsel for the petitioners submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that he is ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner was found in possession of banned tobacco products. He fairly submits that though the petitioner has one previous case, the same is not similar in nature. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the small quantity of the banned tobacco products and on the fact that though the petitioner has one previous case, the same is not similar in nature, hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



6. 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, Vaniyambadi**, 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, everyday twice at 10.30 a.m., and 5.30 p.m for a period of 15 days;**

(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



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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.

10.04.2026

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To

- 1.The Judicial Magistrate, Vaniyampadi.
2. The Inspector of Police, Vaniyambadi Taluk Police Station, Thirupathur District.
- 3.The Public Prosecutor, High Court of Madras.

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