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Crl.O.P.No.9055 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.9055 of 2026

1. Imran, S/o.Babu
2. Siddiqk, S/o.Askar

... Petitioners

Vs.

State rep. By
The Inspector of Police,
Thiruvallam Police Station,
Vellore District.
Crime No.48 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, pleased to enlarge the petitioners on bail in the event of their arrest in Crime No.48 of 2026(on the file of the respondent Police).

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

ORDER

The petitioners apprehend arrest for the alleged offence under Sections 7(5), 20(2) of Cigarette and Other Tobacco Products Act, 2003 and Sections 123 of BNS, 2023 in Crime No.48 of 2026 on the file of the respondent police seek anticipatory bail.



2. The case of the prosecution is that the petitioners were found in possession of 18.06 kgs of banned tobacco products. Hence, the present case.

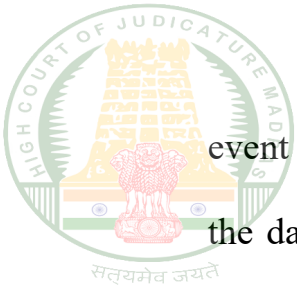
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3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that they are ready to abide by any conditions that may be imposed by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

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners were found in possession of 18.06 kgs of banned tobacco products. He further submitted that at the time of arrest, the first petitioner suffered from fits; furthermore, the first petitioner is a differently abled person. However, he opposed to grant anticipatory bail to the petitioners.

5. Though there is a serious allegations against the petitioner, taking into account of the medical condition and the fact that the first petitioner is a differently abled person, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are 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, Katpadi, Vellore 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 petitioners fail 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 petitioners shall report before the respondent police, everyday at 10.30 a.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

C.KUMARAPPAN.J.



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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 petitioners 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, Katpadi, Vellore District.
2. The Inspector of Police, Thiruvalam Police Station, Vellore District.
- 3.The Public Prosecutor, High Court of Madras.

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