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CRL OP No. 12507 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12507 of 2026

Bhawa Ram

..Petitioner(s)

Vs

State rep. by The Inspector of Police,
Kaveripattinam Police Station.
Krishnagiri District,
(Crime No. 02 of 2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail, in the event of his arrest, in Crime No. 02 of 2026 on the file of the Inspector of Police, Kaveripattinam Police Station, Krishnagiri District and thus render justice.

For Petitioner(s): Mr.B. Vasudevan

For Respondent(s): Mr.S.Balaji
Government Advocate (Crl. Side)

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 281 and 275 of the



Bharatiya Nyaya Sanhita (BNS) 2023, Sections 7 and 20(2) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, and Sections 52 and 59 of the Food Safety and Standards Act, 2006, in connection with Cr. No. 02 of 2026, seeks anticipatory bail.

2.The case of the prosecution is that on 01.01.2026 at about 05.00 a.m., the de-facto complainant, who is the Sub-Inspector of Police, Kaveripattinam Police Station, along with his police party, conducted a vehicle check on the Krishnagiri-Dharmapuri National Highway near PDS Jamuna Bakery. They found an Innova car bearing Registration No. TN 90 M 1449 in a damaged condition at the front side after having dashed against an unknown vehicle. Upon searching the abandoned car, the respondent police recovered and seized 37 bags of banned tobacco products weighing a total of 187 kg. Since the petitioner is suspected to be the owner-cum-driver of the said vehicle, he has been arrayed as an accused. Hence, the case.

3.The learned counsel for the petitioner would contend that the petitioner is completely innocent and all the allegations made against him are false. He submits that the petitioner has been arrayed as an accused purely on the basis of mere suspicion and guess-work. He further submits that this is the first anticipatory bail application before this Court, no other similar petition is



pending before any court, and there is no previous case of any nature pending against the petitioner. Since the petitioner has a permanent residence and is fully prepared to co-operate with the interrogation, the learned counsel prays for the grant of anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of anticipatory bail, highlighting that a substantial commercial quantity of 187 kg of banned tobacco products was recovered from the vehicle registered in the petitioner's name. He, however, confirms that the petitioner has been arrayed as an accused primarily on the suspicion of ownership and that there are no previous cases or adverse antecedents recorded against him. However, he opposed the grant of Anticipatory Bail to the petitioner.

5.Heard both sides and perused the materials available on record.

6.Considering the rival submissions on either side, the nature of the offences, and taking note of the fact that the petitioner has been arrayed as an accused based on suspicion regarding the ownership and driving of the crashed vehicle, and considering that the contraband has already been recovered and secured, and there is no previous case pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner by imposing regular reporting



conditions to facilitate the investigation.

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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 days from the date on which the order copy made ready, before the learned Judicial Magistrate No. I, Krishnagiri, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

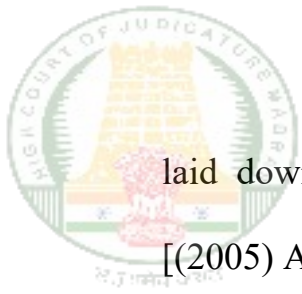
[a] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 30 days, and thereafter as and when required for investigation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as



laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S. 2023.

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SHA/MKA

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To:

- 1.The Judicial Magistrate No. I,
Krishnagiri.
- 2.The Inspector of Police,
Kaveripattinam Police Station.
Krishnagiri District.
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL, J.

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