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CRL OP No. 12376 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. 12376 of 2026

Soosai Irudhayam

..Petitioner(s)

Vs

State rep. by The Inspector of Police,
Karimangalam
Dharmapuri District,
(Crime No. 273 of 2025)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioners on bail, in the event of his arrest, in Crime No. 273 of 2025 on the file of the Inspector of Police, Karimangalam Police Station, Dharmapuri 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 Section 123 of the Bharatiya Nyaya Sanhita (BNS) 2023, and Section 24(1) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, in connection



with Cr. No. 273 of 2025, seeks anticipatory bail.

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2.The case of the prosecution is that on 01.07.2025 at about 04.30 a.m., the de-facto complainant, who is the Sub-Inspector of Police, Karimangalam, along with his police party, conducted a vehicle check on the Krishnagiri-Dharmapuri National Highway near the Kumbarahalli check post. They intercepted a grey Hyundai Creta car bearing Registration No. TN 65 AX 2390. The driver stopped the vehicle and managed to escape from the spot. Upon searching the vehicle, the police seized 25 bags of 'Ganesh 701' brand tobacco products (weighing 309.375 kg, worth Rs.1,65,000/-) and 4 bags of 'Coollip' brand tobacco products (weighing 22.800 kg, worth Rs.47,424/-). The police also intercepted a white Creta car and a Fortuner car, recovering further large quantities of banned tobacco products. As the petitioner is the owner-cum-driver of the said grey Hyundai Creta vehicle, he has been implicated in this case. Hence, the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in the crime. He submits that the alleged occurrence took place on 01.07.2025 and the FIR was registered on the same day. He points out that so far no steps have been taken by the respondent police to secure the accused, and by this length of time, the major part of the investigation might have already been completed. He further submits that there



is no previous case pending against the petitioner, the petitioner has a permanent residence, and he is ready to co-operate with the interrogation and investigation. Hence, he 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, stating that a huge quantity of banned tobacco products was recovered from the vehicle belonging to the petitioner. He confirms that the occurrence took place on 01.07.2025, the investigation has substantially progressed, and that there are no adverse antecedents or previous cases reported against this petitioner. However, he opposed to grant 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 occurrence took place on 01.07.2025 and no steps were taken to secure the petitioner till date, which indicates that custodial interrogation may not be strictly necessary at this stage, and considering that the investigation has substantially progressed and there is no previous case of similar nature pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Karimangalam, Dharmapuri District 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 every Saturday at 10.00 a.m. for a period of four weeks, 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].



[f] If the accused thereafter abscond, a fresh FIR can be registered under

Section 269 B.N.S. 2023.

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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 District Munsif cum Judicial Magistrate,
Karimangalam, Dharmapuri District.
- 2.The Inspector of Police,
Karimangalam
Dharmapuri District,
- 3.The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL, J.

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