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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12224 of 2026

Thangapandian

..Petitioner(s)

Vs

State Rep. by The Inspector of Police,
F-5, Choolaimedu Police Station, .
Chennai.

..Respondent(s)

Prayer: Criminal Original Petition filed 482 of the Criminal Procedure Code, 1973, to enlarge the Petitioner on bail in the event of arrest in Crime No.253 of 2026 on the file of the Inspector of Police, F-5, Choolaimedu Police Station, Chennai.

For Petitioner(s): Mr.R. Muthukumar

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 274, 275, 123 of B.N.S. 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 the Cr. No.253 of 2026, seeks anticipatory bail.



2.The case of the prosecution is that on 08.05.2026, during a regular vehicle check-up, the respondent police caught one Vetrivel who was in possession of banned tobacco products. Based on the confession given by the said Vetrivel, the petitioner herein has been implicated as an accused in this case.

3.The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner. He would submit that the petitioner was not present at the place of occurrence and is in no way connected with the commission of the alleged offences or the trade of banned tobacco. He further submits that the petitioner has been falsely implicated solely on the basis of a co-accused's statement. It is also submitted that this is the first anticipatory bail petition filed by the petitioner, there are no previous cases, and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Accused had one previous case of different nature but the bail was granted to him. Hence, the petitioner may be released on anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner is involved in the illegal possession and supply of banned tobacco products. He would further submit that the investigation is in the initial stage and therefore, he opposed the grant of



anticipatory bail to the petitioner.

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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 the fact that the petitioner has been implicated primarily on the basis of a co-accused's confession, and considering that there are no adverse antecedents reported 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 XVII Metropolitan Magistrate, Saidapet, Chennai 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 on every Saturday at 10.00 a.m for a period of four weeks and thereafter as and when required for interrogation;

[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.

13-05-2026

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 XVII Metropolitan Magistrate Court,
Saidapet, Chennai.

2. The Inspector of Police,
F-5, Choolaimedu Police Station, .
Chennai.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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P.DHANABAL, J.

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