



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12788 of 2026

1. Kovarthan @P.Govarthanan
S/o. Palani
No.20 /2, Kannamangala Road,
Narayanapuram, Arcot Taluka,
Kavanur, Vellore – 632507
2. Rajkumar @ Rajkumar Nagaraj
S/o. Nagaraj,
No. C-59 (2), Kulathur Medu,
Muthumandabam West,
Vellore-632004

..Petitioners

Vs

State Rep by The Sub-Inspector of Police,
Vellore North Police Station,
Vellore.
Crime no. 145 of 2026

..Respondent

To grant anticipatory bail to the Petitioners/ Accused in Crime no. 145 of 2026 in the event of arrest pending on the file of the Respondent police.

For Petitioner : Mr.M.S.Sriraam

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl. Side)

ORDER

The petitioners / A3 & A4, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 6(a) and 24(1) of



the Cigarettes and other products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, and Section 123 of the B.N.S., 2023, seek anticipatory bail.

2. The case of the prosecution is that on 06.05.2026, based on secret information, the respondent police conducted a search and seized a plastic bag containing 38.372 kgs of banned tobacco products, valued at about Rs.41,156/-, which were being carried by four persons. The respondent police arrested A1 and A2, while the petitioners/A3 & A4 absconded.

3. Learned counsel for the petitioners would contend that the petitioners are innocents and they have been implicated, only based on the confessions of the co-accused. As the custodial interrogation is not required in this case, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and on instructions, submitted that the respondent police had seized the entire contraband products. It is also submitted that A3 has two previous cases and A4 has seven previous cases, all of which have already been disposed of, and that the co-accused has been released on bail.

5. Heard the learned counsel for the petitioners and the learned



Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

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6. Considering the trivial nature of the offence, and taking into account the facts that the respondent police have seized the entire contraband products, and that the petitioners have been implicated solely on the basis of the confession of the co-accused, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-IV, Vellore** on condition that the petitioners 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioners shall report before the respondent police everyday



at 10.30 a.m., for 30 days.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



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To

1. The Judicial Magistrate – IV, Vellore.
2. The Sub-Inspector of Police,
Vellore North Police Station,
Vellore.
3. The Public Prosecutor,
Madras High Court.



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P.DHANABAL, J.

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