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Crl.O.P.No.12824 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 14-05-2026**

CORAM

**THE HONOURABLE MR.JUSTICE P. DHANABAL**

**CRL.O.P.No.12824 of 2026**

R.Rajesh Kumar  
S/o.Ramanathan

... Petitioner

vs.

State by  
Inspector of Police,  
N-4, Fishing Harbour Police Station,  
Chennai.  
(Crime No.46 of 2026)

... Respondent

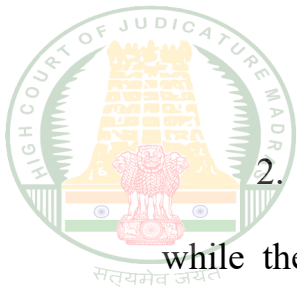
**PRAYER** Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioner on bail in the event of his arrest concerned in Crime No.46 of 2026 on the file of the respondent police.

For Petitioner: Mr.P.Praveen Kumar

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

### **ORDER**

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 24(1) COTPA Act & 132, 351 (1) of B.N.S Act, in connection with Crime No.46 of 2026, seeks anticipatory bail.



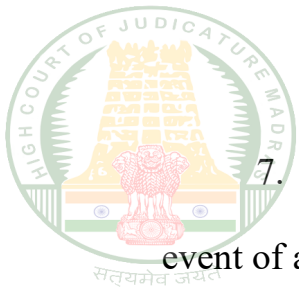
2. The case of the prosecution is that on 15.04.2026 at about 05.00 a.m., while the respondent police were involved in vehicle check up, they found tobacco products containing 49 big packets and 15 small packets of HANS in an auto, which was coming from Ennore. The said products were seized and the aforesaid case was registered.

3. Learned counsel for the petitioner submitted that the petitioner has been arrayed as accused based on the confession of co-accused and that he has no involvement in the alleged offence. Learned counsel further submitted that the co-accused was released on bail. Hence, prayed for anticipatory bail.

4. Learned Government Advocate (Criminal Side) reiterated the prosecution case and would submit that there are three previous cases pending as against the petitioner. Hence, he strongly objected 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 and nature of offences alleged as against the petitioner and also the fact that the co-accused was granted bail, this Court is inclined to grant anticipatory bail to the petitioner on certain 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 of receipt of a copy of this order, before the **learned XVI Metropolitan Magistrate, George Town, 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 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 petitioner 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.

[b] **the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of thirty (30) days and thereafter as and when required for interrogation.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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



**P.DHANABAL, J.**

vji / vsn

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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.

**14.05.2026**

vji / vsn

**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 official website of this Court will be watermarked and will also have a QR code.

To

- 1.The XVI Metropolitan Magistrate, George Town, Chennai.
- 2.The Inspector of Police,  
N-4, Fishing Harbour Police Station,  
Chennai.
- 3.The Public Prosecutor,  
Madras High Court.

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