



WEB COPY

Crl.O.P.No.13112 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.13112 of 2026

Venkatesan @ Venkatesh
S/o.Arjunan

... Petitioner

vs.

The State represented by
The Inspector of Police,
Deevattipatti Police Station,
Salem District.
(Crime No.52 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 arrest a case in Crime No.52 of 2026 on the file of the respondent police.

For Petitioner: Mr.C.Deepakkumar

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

ORDER

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7 and 20(2) of COTPA Act r/w. Sections 275 and 123 of BNS, in connection with Crime No.52 of 2026, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that on 31.01.2026, based on the secret information, the respondent Police conducted search and found that the accused was found in illegal possession and transportation of prohibited tobacco products in TATA Innova Car bearing Registration No.KA 41 2399. Hence, the aforesaid case was registered.

3. Learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and that custodial interrogation is not required in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) reiterated the prosecution case and would submit that investigation is pending and no previous case is 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 charged as against the petitioner and also the fact that no previous case is



pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

WEB COPY

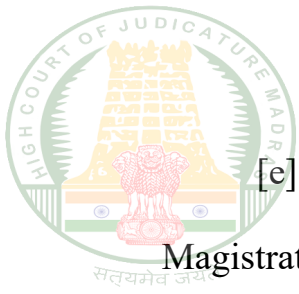
7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate(FTC), Omalur**, on condition that the petitioner shall execute a bond 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 four weeks 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 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

ssb/mtl

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 Judicial Magistrate (FTC) Court, Omalur.
- 2.The Inspector of Police,
Deevattipatti Police Station,
Salem District.
- 3.The Public Prosecutor,
Madras High Court.



WEB COPY

CrI.O.P.No.13112 of 2



P.DHANABAL, J.

ssb/mtl

CRL.O.P.No.13112 of 2026

14.05.2026