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Crl.O.P.No.13820 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2026

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Crl.O.P.No.13820 of 2026

Muthusamy @ Rajesh

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Podanur Police Station,
Coimbatore District.
(Crime No.166 of 2026)

... Respondent

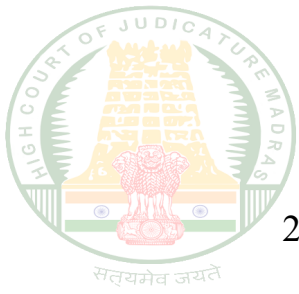
PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner's
anticipatory bail in the event of his arrest in Crime No.166 of 2026 pending
investigation on the file of the respondent police.

For Petitioner : Mr.M.N.Balakrishnan

For Respondent : Mrs.R.S.Indira,
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 24(1) of the Cigarettes and
Other Tobacco Products Act, 2003, and Section 123 of BNS, in Crime
No.166 of 2026 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner/A1 was found in

illegal possession of 11 kgs and 295 grams of banned tobacco products.

Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and has been falsely implicated in this case and is ready to abide by any conditions that may be imposed by this Court. He would further submit that the co-accused has already been enlarged on bail in Crl.M.P.No.1801 of 2026 dated 29.05.2026. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the anticipatory bail application on the ground that the petitioner is running a petty shop and was found in possession of 11 kgs and 295 grams of banned tobacco products. He would further submit that the petitioner has one previous case, which is not similar in nature.

5. Taking into consideration the totality of the circumstances, this Court is of the firm view that, at this length of time, custodial interrogation of



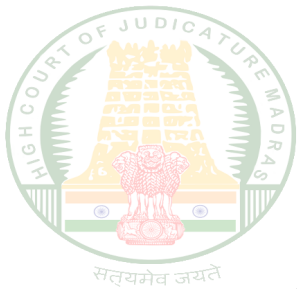
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the petitioner is not required and is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned **Judicial Magistrate Court-IV, Coimbatore**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;



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(c) The petitioner shall report before the respondent police twice a day at 10.00 a.m. and 05.00 p.m. for a period of 30 days, and thereafter as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

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To

- 1.The Judicial Magistrate Court-IV, Coimbatore.
- 2.The Inspector of Police,
Podanur Police Station,
Coimbatore District.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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