



65IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13909 of 2026

Harish Devasi

..Petitioner

Vs

The State rep by
The Inspector of Police,
Bagalur Police Station,
Krishnagiri District.
[Crime No.90/2026]

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No. 90 of 2026 pending on the file of the respondent police.

For Petitioner:

Mr.C.R.Gokulvisvas

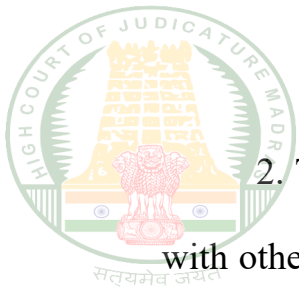
For Respondent:

Ms.R.S.Indira

Government Advocate (Criminal Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 123 of BNS Act (U/s.328 of IPC) and U/s.7, 20(2) of COTPA Act and 4(1)(C) of Tamil Nadu Prohibition Act, in Crime No.90 of 2026 on the file of the respondent police seeks anticipatory bail.



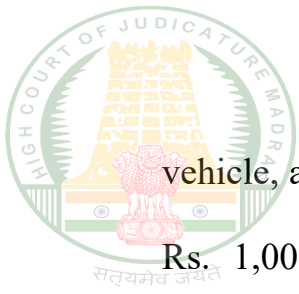
2. The case of the prosecution is that on 21.05.2026, the petitioner, along with other accused, illegally transported 673 kilograms of tobacco products and 48 packets of Karnataka liquor (180 ml each), totally worth about Rs. 5,70,000/-. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has been implicated in this case merely because he is the owner of the vehicle in which the aforesaid tobacco products and liquor bottles were transported. He further submitted that the petitioner has filed a memo stating his willingness to make a non-refundable deposit toward any community service or welfare organization. Hence, he prays that the petitioner be granted anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the quantity of contraband involved is substantial. Hence, she opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. Taking into consideration the totality of the circumstances, and on the ground that the petitioner was implicated in this case solely as the owner of the



vehicle, and further considering that the petitioner is willing to deposit a sum of Rs. 1,00,000/- toward community service, this Court is inclined to grant anticipatory bail to the petitioner, subject to 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 (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.1, Hosur**, 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;

(c) **The petitioner/accused is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) as non-refundable deposit in favour of the Dean, Rajiv Gandhi Government**



General Hospital, Chennai;

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(d) The petitioner shall report before the respondent Police, daily at 10.30 a.m. until further orders;

(e) 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];

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

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VEDA

To

1.The Judicial Magistrate No.1, Hosur.

2.The Inspector of Police,
Bagalur Police Station,
Krishnagiri District.

3.The Public Prosecutor, Madras High Court.

4. The Dean,
Rajiv Gandhi Government General Hospital, Chennai.



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C.KUMARAPPAN, J.

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