



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14137 of 2026

Balaji
S/o. Umapathy,
No.43, Talaiyari Street,
Thirukkandalam Post,
Tiruvallur District.

..Petitioner(s)

Vs

The State Rep. by The Inspector of Police
C-2, Periyapalaiyam Police Station,
Thiruvallur District.
Crime No. Not Known 2026

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the Petitioner on anticipatory bail in the event of his arrest in connection with Crime No. Not Known of 2026 on the file of the respondent and thereby render justice.

For Petitioner(s): Mr.S. Deivasigamani

For Respondent(s): MS.R.S.INDIRA, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

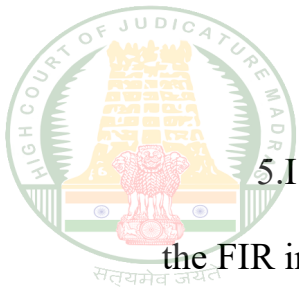
The petitioner apprehends arrest at the hands of the respondent police in respect of Crime No.161 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner was in illegal possession of 4 ½ kgs of Hans46 and Vimal 58 Tobacco products in his petty shop. Hence, a case in Crime No.161 of 2026 has been registered for the offences under Sections 274, 275, 123 (6) & 24(1) of Cigarette and other Tobacco Products Act 2003.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police would strongly oppose the petition on the ground that the petitioner has kept the tobacco products in his petty shop and she further submitted that on the day of search, 4 ½ kgs of Hans46 and Vimal 58 Tobacco products were seized from him. She also submitted that there is no previous cases pending against him.



5. I have given my anxious consideration to either side submissions and the FIR in Crime No.161 of 2026 produced before this Court.

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6. Considering the totality of the circumstances of the case and the fact that there is no previous cases pending against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not required at this stage. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, 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 District Munsif cum Judicial Magistrate, Utthukottai, Tiruvallur District**, 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 everyday at 10.30 a.m., for a period of two weeks 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.

GBI

05-06-2026



To

1. The Inspector of Police
C-2, Periyapalaiyam Police Station,
Thiruvallur District.

2. The District Munsif cum Judicial Magistrate, Utthukottai, Tiruvallur District.

3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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