



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15995 of 2026

Gunavathi
No.02/268,Thachar street, Kalamaruthur,
Ulundurpet Taluk,

..Petitioner(s)

Vs

The state Represented by The Inspector of police
Kalamaruthur Police,
Kallakurichi District.
Crime No.146/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of their arrest in Crime No.146/2026 dated 11.06.2026 pending on the file of respondent police and pass such further or other orders

For Petitioner(s): MR. UTHAYANITHI K

For Respondent(s): MR.N.PALANIVEL,
GOVT.ADVOCATE (CRL.SIDE)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 123 of BNS, 2023 and 24(1) of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 in Crime No.146 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that the petitioner along with other accused was found in illegal possession of banned tobacco products valued at Rs.3,88,000/-. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and has been falsely implicated in this case and that she 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) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous case has been registered against the petitioner and that the contraband was recovered from the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the totality of the circumstances of the case and the fact that the petitioner is a woman, 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. At this juncture, the learned counsel for the petitioner voluntarily undertakes to pay a sum of Rs.50,000/- as non-refundable deposit to any of the



welfare scheme without prejudice to her defence.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her 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.II, Ulundurpet**, 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 shall make a non-refundable deposit of **Rs.50,000/- (Rupees Fifty Thousand only) in favour of the Dean, Rajiv Gandhi Government General Hospital, Chennai** to comply with the conditions imposed by this Court in Crl.O.P.No. 15995 of 2026 dated 24.06.2026, within two weeks from the date on which the order copy is made ready, failing which, the anticipatory bail shall stand automatically cancelled.

(d) **The petitioner shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and**



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thereafter as and when required for interrogation;

(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.

24-06-2026

DRL

To

1.The Judicial Magistrate No.II
Ulundurpet,

2.The Inspector of police
Kalamaruthur Police,
Kallakurichi District.

3.The Public Prosecutor,
High Court, Madras.



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CRL OP No. 15995 of 2



C.KUMARAPPAN, J.

DRL

CRL OP No. 15995 of 2026

24-06-2026