



WEB COPY

CRL OP No. 16424 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16424 of 2026

S.Sathishkumar

..Petitioner(s)

Vs

The State Rep.by its, The Sub Inspector of Police,
Tiruvannamalai East Police Station,
Tiruvannamalai District,
Cr.No.183 of 2026.

..Respondent(s)

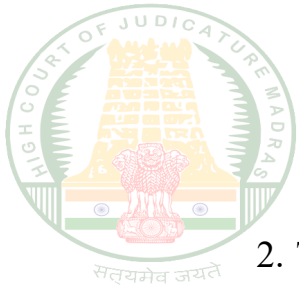
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of petitioners arrest in Cr.No.183 of 2026 on the file of the Respondent Police.

For Petitioner(s): P.Jayachandran

For Respondent(s): R.S.Indira
Government Advocate (Crl.side)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 275, 123 of B.N.S, 2023 r/w 6(b), 24(1) of Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 in Crime No. 183 of 2026 on the file of the respondent police seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that on 15.06.2026, based on the secret information, the respondent police went to the place of occurrence and conducted search on petitioner's tea shop and found 100 grams of banned tobacco products worth Rs.100/- Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and 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 prays for grant of anticipatory bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that one previous case is pending against the petitioner which is similar in nature. Hence, he opposed for grant of anticipatory bail to the Petitioner.

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



6. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel on both sides, though one previous case is pending against the petitioner which is similar in nature, the learned counsel for the petitioner submits that petitioner is running a petty shop and total recovery from him is only 100grams worth Rs.100/-. Considering such a lesser quantity involved in this case, this Court is of the view that custodial interrogation of the petitioner is not required for investigation. 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 Judicial Magistrate-II, Tiruvannamalai**, 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



WEB COPY

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 report before the respondent Police daily at 10.30am., 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.

29-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

nr

To:

1. The Judicial Magistrate-II, Tiruvannamalai

2. The Sub Inspector of Police,
Tiruvannamalai East Police Station,
Tiruvannamalai District,3. The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 16424 of 2



C.KUMARAPPAN, J.

NR

CRL OP No. 16424 of 2026

29-06-2026