WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30559 of 2026

CNR: {HCMA012522102026}

Suresh
S/o Aruldass,
No.3/129, Main Road, Sookuppam,
Gingee Taluk,
Vilupuram District.

..Petitioner(s)

Vs

The State rep. by, The Inspector of Police
Sathiyamangalam Police Station,
Villupuram District.
Crime No.258 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 anticipatory bail in the event of arrest in Cr.No.258 of 2026 on the file of the Respondent Police and thus render justice.

For Petitioner(s): Stalin Thiaga Raja
For Respondent(s): Mr.R.Rajasekaran, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 274, 275 and 123 of BNS, 2023 and sections 24(1) and 6 of the Cigarette and Other Tobacco Products Act, 2003, and section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.258 of 2026, seeks anticipatory bail.

https://www.mhc.tn.gov.in/judis

WEB COPY

2. The case of the prosecution is that the petitioner was found in possession 105 packets of hans, which are prohibited for sale and distribution. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and is ready to co-operate with the investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner was found in possession of 105 packets of banned tobacco products and noted that he has no previous case. However, he opposed for grant of bail to the petitioner.

5. Considering the quantity involved in this case, and the fact that there is no previous case against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

6. 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**

https://www.mhc.tn.gov.in/judis

WEB COPY

Magistrate, Gingee, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 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 report before the respondent Police daily 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 was 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];***

https://www.mhc.tn.gov.in/judis

WEB COPY

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

27-10-2026

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

MPA

To

1. The Judicial Magistrate, Gingee.

2. The Inspector of Police
Sathiyamangalam Police Station,
Villupuram District.
Crime No.258 of 2026.

3. The Public Prosecutor, High Court of Madras.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.RAMESH, J.

MPA

CRL OP No. 30559 of 2026

27-10-2026

https://www.mhc.tn.gov.in/judis