Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31312 of 2026

CNR: {HCMA012534712026}

G.Gomathi

..Petitioner(s)

Vs

The State Rep. by,
The Inspector of Police
Cheyyar Police Station,
Tiruvannamalai District.
Crime No.355 of 2026.

..Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS praying to grant anticipatory bail to the Petitioner in the event of his arrest by the Respondent Police in connection with Cr.No.355 of 2026 on the file of Respondent Police,and pass such further or other orders.

For Petitioner(s): Mr.Anbharasu A

For Respondent(s): Mr.R.Rajasekaran
Government Advocate (Crl.Side)

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

WEB COPY

ORDER

The petitioner apprehends arrest for the alleged offences under Sections 123 and 275 of BNS and Section 24(1) of Cigarettes and other Tobacco Products Act in Crime No.**355 of 2026 o**n the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 1.5 Kg of Hans tobacco products.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against the petitioner 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 condition that may be imposed by this Court.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and he fairly submitted that the petitioner has no criminal antecedents. However, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to either side submissions.

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

WEB COPY

6. Considering the nature of the allegations, the submissions made by the learned counsel on either side, and the fact that the petitioner has no criminal antecedents, this Court is of the firm view that the custodial interrogation of the petitioner is not required. 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, Cheyyar** 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 slip (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;

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

WEB COPY

(c) **The petitioner shall report before the respondent police daily at 10.30 am until further orders;**

(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 is 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.

29-10-2026

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

MFA

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

WEB COPY

To

1. The Judicial Magistrate
   Cheyyar

2. The Inspector of Police
   Cheyyar Police Station,
   Tiruvannamalai District.

3. The Public Prosecutor,
   High Court, Chennai,

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

WEB COPY

N.RAMESH, J.

MFA

CRL OP No. 31312 of 2026

29-10-2026

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