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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30954 of 2026

CNR: {HCMA012559932026}

Venkatesan
S/o Pazhani,
Selliamman Kovil Street,
Kalamaruthur Village,
Ulundurpet Taluk,
Kallakurichi District.

..Petitioner(s)

Vs

The State Rep by The Station House Officer
Kalamaruthur Police Station,
Kallakurichi District.
Crime no.273 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioners Anticipatory Bail in the event of his arrest in Crime no.246 of 2026 pending investigation on the respondent Police.

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

ORDER

The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Section 123 of BNS,r/w. Sec.24(1) of COTPA Act, in Crime No.273 of 2026, on the file of the respondent Police, seeks anticipatory bail.

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2. The allegations against the petitioner is that the petitioner along with other accused was found in possession of 3 kgs 900 grams of banned tobacco products. Hence, the present complaint was registered.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and that he has not committed any offence as alleged by the prosecution. He also submitted that A-1 has already been arrested and released on bail, and that petitioner is ready to abide by any stringent conditions imposed by this Court. Hence, he prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the case of the prosecution and, on instructions, submitted that the petitioner was found in possession of 3 kgs 900 grams of banned tobacco products. He further submitted that one previous case is pending against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5.Considering the above facts and circumstances of the case, taking into account the submissions made by the learned Government Advocate (Criminal Side), and the fact that the co-accused has already been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to

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certain conditions.

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6. 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, Ulundurpet, Kallakurichi 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 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 is directed to produce a Demand Draft for a sum of Rs.10,000/- (Rupees Ten Thousand only) by way of Demand Draft to the **Arginar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram, Account Name:Tobacco Court Penalty Fund; A/C No.7417027486, IFSC Code – IDIB000K012; Branch:Kancheepuram;**

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(d) On production of the above Demand Draft, the learned Magistrate is directed to take necessary steps to hand over the same to the concerned Medical Officer. Upon receipt of the said amount, the Medical Officer shall realize and utilize the same strictly in accordance with law for the welfare of the hospital;

(e) 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;

(f) 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];***

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

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

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To

1. The Judicial Magistrate-II, Ulundurpet, Kallakurichi District.

2. The Station House Officer
Kalamaruthur Police Station,
Kallakurichi District.
Crime no.273 of 2026.

3. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

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