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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. 30849 of 2026

CNR: {HCMA012562772026}

Dilip Kumar @ Dilip Jain
S/o.Pukhraj,
Lakharo Ka Vas,
Siyana,
Jalor, Siana,
Rajasthan-343024.

..Petitioner(s)

Vs

State rep.by,
The Inspector of Police,
C-3 Sevenwells Police Station,
Chennai.
Cr.No.212/2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioner on anticipatory bail in the event of arrest in connection with Cr.No.212 of 2026 for the alleged offences under sections 132, 351(2) of BNS Act and 24(1) of COTP Act 2003 on the file of the C-3. Sevenwells Police Station, Chennai the respondent herein in the above case and pass such further or other orders as deem fit in the proper circumstances of the case.

For Petitioner(s): D Sugumar

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

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ORDER

The petitioner, apprehending arrest at the hands of the respondent Police for the alleged offences punishable under Sections 132, 351(2) of BNS Act and 24(1) of COTP Act 2003, in Crime No.212 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2.The allegations against the petitioner is that the petitioner along with other accused was found in possession of 9 kgs of banned tobacco products. Hence, the present complaint was registered.

3.The learned counsel for the petitioner submitted that the petitioner is ranked as A2 and is the father of A1. It is further submitted that A1 was arrested and released on bail on the same day. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and 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 9 kgs of banned tobacco products. He further submitted that no previous case is pending against

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the petitioner. However, 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 no previous case is pending against the petitioner and that the co-accused has already been arrested and relased on bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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 VIII Metropolitan Magistrate, George Town, Chennai,** 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

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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.25,000/- (Rupees Twenty Five 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;**

(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

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Order QR

by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

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(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

MPA

To

1. The VIII Metropolitan Magistrate, George Town, Chennai.

2. The Inspector of Police,
C-3 Sevenwells Police Station,
Chennai.
Cr.No.212/2026.

3. The Public Prosecutor, High Court of Madras.

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N.RAMESH, J.

MPA

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