Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31353 of 2026

CNR: {HCMA012594112026}

1. Vinod

2. Motiram

..Petitioner(s)

Vs

State Represented By,
The Inspector of Police
Thiruttani Police Station,
Tiruvallur District.
Crime No. 516/2026

..Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 482 of BNSS, praying to enlarge the petitioner on Anticipatory Bail in the event of their arrest in Crime No. 516 of 2026 dated 18-6-2026 on the file of the respondent police and further continued cause of action, pending investigation on the file of the respondent and thus render justice.

For Petitioner(s): Ms.Devi Rudra

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

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ORDER

The petitioners apprehend arrest for the alleged offences under Sections 123 of BNS and Section 24(1) of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution] Act in Crime No.**516 of 2026** on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 170 Kg of banned tobacco products.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and a false case has been foisted against the petitioners and that they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are 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 State reiterated the prosecution case and submitted that there is one previous case pending against the petitioners. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of the allegations and also considering the submissions made by the learned counsel on either side and also considering the fact that the petitioners have come forward to deposit an amount of Rs.1,00,000/- to the Government Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram, this Court is of the firm view that, custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions..

7. Accordingly, the petitioners shall deposit a sum of **Rs.1,00,000/- (Rupees One Lakh 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,** and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Tirutani** on condition that **each of the petitioners 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:

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(a)If the petitioners fail 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;

(c) **The petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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 petitioners thereafter abscond, 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
   Tirutani

2. The Inspector of Police
   Thiruttani Police Station,
   Tiruvallur District.

3. The Public Prosecutor,
   High Court, Chennai,

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N.RAMESH, J.

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