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CRL OP No. 16507 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16507 of 2026

Selvakumar

..Petitioner

Vs

State Rep.by,
The Sub Inspector of Police,
Saibaba Colony Police Station,
Coimbatore City, Coimbatore District,
Tamilnadu. Crime No.303/2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail, in Crime
No.303 of 2026 dated 11.06.2026 registered by the respondent police.

For Petitioner:

Mr.D.Alexis Sudhakar

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
11.06.2026 for the alleged offences under Sections 6(b) and 24(1) of the
Cigarettes and Other Tobacco Products (Prohibition of Advertisement and
Regulation of Trade and Commerce, Production, Supply a Distribution) Act,
2003 (hereinafter referred to as COTPA) read with Section 123 of the Bharatiya
Nyaya Sanhita, 2023, in Crime No.303 of 2026 on the file of the respondent
police, seeks bail.



2. The case of the prosecution is that the petitioner was found in illegal possession of huge quantum of banned tobacco products. Hence the case.

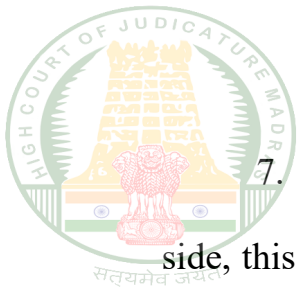
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3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police strongly opposed the bail petition on the ground that the petitioner has four previous cases, including one under Section 302 of Indian Penal Code, one for causing hurt and one prohibition case. It is further submitted that if the petitioner is enlarged on bail, there is every possibility of him committing a similar offence.

5. At this juncture, the learned counsel for the petitioner submits that the petitioner has already been convicted in the aforementioned cases and therefore, prays that some leniency be granted

6. I have given anxious consideration to the submissions made by the learned counsel on either side.



7. Considering the submissions made by the learned counsel on either side, this Court is of the view that the petitioner was found in illegal possession of a large quantity of banned tobacco products. The petitioner has a criminal history of four previous cases, including one under Section 302 of the Indian Penal Code, one for causing hurt and one prohibition case. Hence, this Court cannot accept the submissions made on behalf of the petitioner, as the larger interest of society must be protected. Therefore, keeping in view the petitioner's past conduct, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this Criminal Original Petition stands dismissed.

30-06-2026

NSL

To

1. The Sub Inspector of Police, Saibaba Colony Police Station,
Coimbatore City, Coimbatore District, Tamilnadu.

2. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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