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CRL OP No. 18039 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 18039 of 2026

1. M.Shakul Hamethu
S/o. Musthapa,
No.146, Vadavar Thalaippu,
Kodalikaruppur, Ariyalur.
2. M.Jalaludeen
S/o. Musthapa,
No.146, Vadavar Thalaippu,
Kodalikaruppur, Ariyalur.

..Petitioner(s)

Vs

The State represented by the Inspector of Police
Meensurutti Police Station,
Ariyalur.
Crime No.353 of 2026

..Respondent(s)

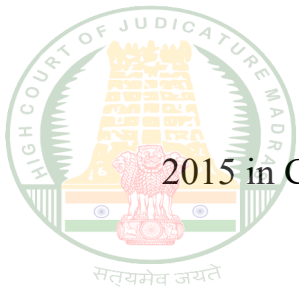
Prayer: Criminal Original Petition filed under section 483 of BNSS, 2023 to enlarge the Petitioners on Bail in connection with the case in Crime No. 353 of 2026 on the file of the Meensurutti Police Station, Ariyalur District

For Petitioner(s): Mr. A.Rajamohamed

For Respondent(s): MR.S.YOGARAJA SEKAR,
GOVT.ADVOCATE (CRL.SIDE)

ORDER

The petitioners were arrested and remanded to judicial custody on 18.06.2026 for the alleged offence under Sections 6(b) r/w 24(1) of Cigarette and Other Tobacco Products Act, 2003 r/w Section 77 of Juvenile Justice Act,



2015 in Crime No.353 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioners have found to be in illegal possession of 63 bundles Hans packets for the purpose of sale. Hence the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been in judicial custody since 18.06.2026. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioners have one previous cases pending against them. However, he opposed for grant of bail to the petitioners.

5. From the submissions made by the learned Government Advocate (Crl.Side), it is seen that the petitioners have one previous cases. Though the petitioners have one previous cases, considering the period of incarceration since 18.06.2026, this Court is of the firm view that their further custody is not necessary for the purpose of investigation. Hence, this Court is inclined to grant bail to the petitioners with certain conditions. At this juncture, the learned counsel for the petitioners voluntarily undertakes to pay a sum of Rs.50,000/-



(each Rs.25,000/-) as non-refundable deposit to any of the welfare scheme without prejudice to their defence.

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6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned **Principal Sessions Judge, Ariyalur Sessions Division, Ariyalur**, and subject to the following conditions:

[a] 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 the identity proofs to ensure their identity;

[b] the petitioners shall make a non-refundable deposit of **Rs.50,000/- (Rupees Fifty Thousand only) (each Rs.25,000/-) in favour of the Dean, Government Medical Hospital, Ariyalur, within a period of two weeks from the date of receipt of a copy of this order.**

[c] the petitioners shall report before the learned respondent police daily at 10.30 a.m., until further orders;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[f] On breach of any of the aforementioned conditions,



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the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

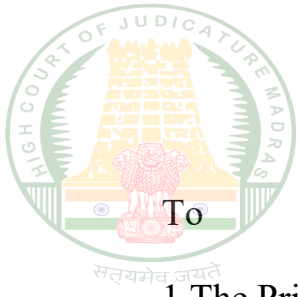
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

13-07-2026

DRL

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



1. The Principle Sessions Judge,
Ariyalur Sessions Division,
Ariyalur.

2. The Inspector of Police
Meensurutti Police Station,
Ariyalur.

3. The Superintendent,
Sub Jail, Ariyalur

4. The Superintendent,
Central Prison, Trichy.

5. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

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