



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 18171 of 2026

1.Boopalan,
S/o Raja

2.Jayaprakasam
S/o Murugan.

..Petitioners

Vs

The State of Tamil Nadu Rep by.
The Inspector of Police
Thimmampet Police Station,
Tirupattur District.
Crime No.81of 2026.

..Respondent/
Complainant

PRAYER : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail in Crime No.81 of 2026 pending investigation before the Respondent Police.

For Petitioner(s):	Mr.M.Ganesh
For Respondent(s):	Mr.S.Yogaraja Sekar Government Advocate (Criminal side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.06.2026 for the alleged offences under Sections 6(a) and 24(1) of the Cigarette and other Tobacco Products Acts, 2003 and 123 of BNS, 2023, in Crime No.81 of 2026 on the file of the respondent police, seek bail.



2. The case of the prosecution is that on 23.06.2026, at about 15.00 hours, while the respondent police were conducting patrol near Thakarakuppam Check Post, they intercepted a two wheeler bearing Registration No.TN 73 AY 6399 (Hero) for verification. On seeing the police, the petitioners allegedly attempted to flee from the spot along with a plastic gunny bag and the said vehicle. However, they were apprehended by the respondent and thereafter a case in above crime number was registered against them.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been in custody since 23.06.2026. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and ready to co-operate for investigation. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous cases have been registered against the petitioner. He further submitted that on search, it was found that 20 packets of banned HANS tobacco products, each weighing 300 grams, totaling 6 kilograms in the plastic gunny bags. Hence, he opposed for grant of bail to the petitioner.

5.Considering that the total recovery of contraband constitutes an



intermediate quantity, that the petitioners has no criminal antecedents, and that the petitioner has been incarcerated since 23.06.2026, this Court is of the firm view that their further custody is not necessary. Consequently, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 **Judicial Magistrate, Vaniyambadi** and subject to the following conditions:

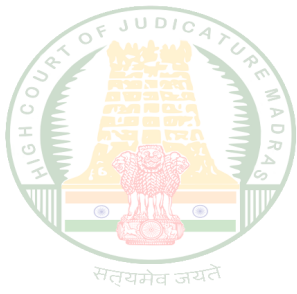
[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

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

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

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

[e] on breach of any of the aforementioned conditions, the



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

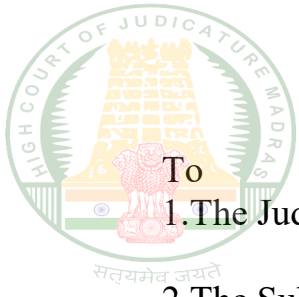
[f] if the petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

13-07-2026

jrs

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.



To

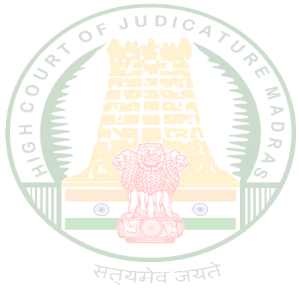
1. The Judicial Magistrate, Vaniyambadi.

2. The Sub Jail, Vaniyambadi.

3. The Inspector of Police
Thimmampet Police Station,
Tirupattur District.
Crime No.81 of 2026.

4. The Public Prosecutor
High Court of Madras.

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CRL OP No. 18171 of 2



C.KUMARAPPAN, J.

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CRL OP No. 18171 of 2026

13-07-2026