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CRL OP No. 20102 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 20102 of 2026

Senthil Kumar

..Petitioner

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Pollachi East Police Station,
Pollachi, Coimbatore District.
Crime No.242 of 2026.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge him on bail in Crime No.242 of
2026 on the file of the Respondent Police.

For Petitioner:

Mr.A.Jahan

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
05.07.2026 for the alleged offences under Sections 24(1) of COTPA Act r/w
Section 123 of Bharathiya Nyaya Sanhitha, 2023 corresponding Section 328 of
Indian Penal Code in Crime No.242 of 2026 on the file of the respondent police,
seeks bail.



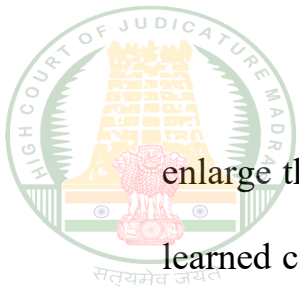
2. The case of the prosecution is that the petitioner was found in possession of 15 kilograms of banned tobacco products. Hence, the case was registered.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the petitioner has been in judicial custody since 05.07.2026 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for the grant of bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, while opposing the grant of bail to the petitioner, reiterated the prosecution case and on instructions, submitted that the petitioner has one previous case.

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

6. Considering the facts and circumstances of the case and taking note of the period of incarceration already undergone by the petitioner since 05.07.2026, this Court is of the view that the further custody of the petitioner for the purpose of investigation is not required. Hence, this Court is inclined to

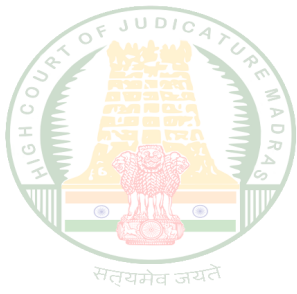


enlarge the petitioner on bail, subject to certain conditions. At this juncture, the learned counsel for the petitioner voluntarily undertakes that the petitioner shall deposit a sum of Rs.25,000/- as a non-refundable deposit to any welfare scheme, without prejudice to his defence.

7. 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)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate Court No.I, Pollachi**, and on further conditions that:

[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 petitioner is directed to make a non-refundable deposit of Rs.25,000/- [Rupees Twenty Five Thousand Only] towards the account of M/s.Patient Welfare Society, Anayankadu Road, Vasantha Mill, Singanallur, maintained at Canara Bank, Singanallur Branch, No.2225, Trichy Road, Singanallur, Coimbatore District-641015, bearing SB Account No.110210036953, IFSC Code No.CNRB0016562, MICR No.641015100 and to produce the Bank challan before the concerned Magistrate at the time of executing the bond;**



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

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

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

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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]**;

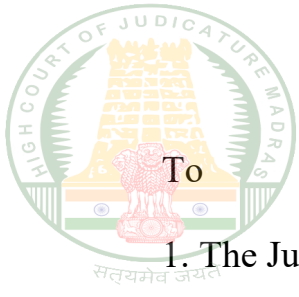
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

27-07-2026

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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 Court No. I, Pollachi.

2. The Sub Jail, Pollachi.

3. The Inspector of Police, Pollachi East Police Station,
Pollachi, Coimbatore District.

4. The Public Prosecutor, High Court of Madras.

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C.KUMARAPPAN, J.

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