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Crl.O.P.No.31136 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-11-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.31136 of 2025

Kesavan

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Thiyagadurgam Police Station,
Kallakurichi.
(Crime No.408 of 2025)

... Respondent

PRAYER : Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Crime No.408 of 2025 registered on the file of the respondent police.

For Petitioner(s) : Mr. Sivapandi

For Respondent(s) : Mr. A. Gopinath
Government Advocate (Crl. Side)



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ORDER

The petitioner herein, who was arrested and remanded to judicial custody on 02.10.2025 for the offences punishable under Section 24(1) of Cigarette and Other Tobacco Products Act, 2003 r/w 123 of BNS in Crime No.408 of 2025, registered on the file of the respondent police, seeks bail. The earlier bail application of the petitioner was dismissed by this Court, vide order dated 25.10.2025 in Crl.O.P.No.28973 of 2025 for the following reasons:

"Considering the fact that the petitioner is having bad antecedents and the property recovered from this petitioner, I am not inclined to grant bail to the petitioner."

2. The learned counsel appearing for the petitioner submitted that the petitioner is in judicial custody since 02.10.2025; that the co-accused were already granted bail by this Court, vide orders dated 15.10.2025 and 27.10.2025 in Crl.O.P.Nos.28123 and 29156 of 2025, respectively; and that the petitioner is ready to abide by any condition that may be imposed by this Court, hence sought for bail to the petitioner.

3. The learned Government Advocate (Crl. Side) appearing for



the respondent submitted that the total quantity of contraband involved in this case is 13.5 kilograms of banned tobacco products; that the petitioner is having 4 previous cases; and that the investigation of this case is pending.

4. Considering the submissions made on both sides, though the co-accused were already enlarged on bail, they have no previous antecedents, however the petitioner herein has four previous cases and taking note of the fact that the investigation of this case is still pending and the present bail application is filed without any change of circumstances after the dismissal of the earlier bail petition in Crl.O.P.No.28973 of 2025, this Court is not inclined to grant bail to the petitioner.

5. Accordingly, this criminal original petition stands dismissed.

14.11.2025

stn

To

1. The Inspector of Police,
Thiyagadurgam Police Station,
Kallakurichi.
(Crime No.408 of 2025)



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K. RAJASEKAR, J.

stn

2. The Public Prosecutor,
High Court of Madras.

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