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Crl.O.P.Nos.32687 & 32688



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.11.2025**

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.Nos.32687 & 32683 of 2025

Mahendra Singh

... Petitioner in Crl.O.P.32687 of 2025

Manohar Singh

... Petitioner in Crl.O.P.32683 of 2025

-VS-

State Rep by,
The Inspector of Police,
Tharamangalam Police Station,
Salem District.
(Crime No.591 of 2025)

... Respondent in both OP's

Common Prayer:- Criminal Original Petition filed under Section 483 of BNSS,
pleaded to enlarge the petitioners on bail in connection with Crime No.591 of
2025 on the file of the respondent police.

For Petitioners : Mr.V.Vetri Murugan
in Crl.O.P.32687 o 2025
Mr.M.Selvendran
in Crl.O.P.32683 of 2025

For Respondent : Mr.A.Gopinath,
in both OP's Government Advocate (Crl. Side)



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COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 15.10.2025, for the alleged offence punishable under Sections 7, 20(2) of COTPA Act and Sections 123, 62 and 275 of BNS, in Crime No.591 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against these petitioners is that, the petitioners were found in possession of 226 kgs of banned tobacco products and recovered from them by the police and the petitioners were arrested on 15.10.2025. Hence this case.

3. Learned counsel appearing for the petitioner / A1 submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was arrested and he is in judicial custody from 15.10.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

3.1. Learned counsel appearing for the petitioner / A2 submitted that the petitioner was arrested and in judicial custody from 15.10.2025 and is ready to



abide by any conditions that may be imposed by this Court. He further submitted that he is not having any previous cases and his marriage was arranged and likely to be taken place next week. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners were arrested on 15.10.2025 and investigation is pending in this case. He further submitted that A1 / Manohar Singh is having one previous case similar in nature and A2 / Mahendra Singh is not having any previous cases and he opposed for grant of bail to the petitioners.

5. I have also gone through the FIR and connected records revealed that A1 has involved for similar offences and huge quantity in this case also seized, this Court is not inclined to grant bail to the petitioner / A1 and the petitioner / A2 Mahendra Singh is not having any previous cases and he is in custody from 15.10.2025, this Court is inclined to grant bail to the petitioner / A2, subject to certain conditions.

6. Accordingly, the petitioner / A2 Mahendra Singh is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, each for a like sum to the satisfaction



of the *learned Judicial Magistrate Court, Omalur*, and on further conditions

that:-

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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner / A2 Mahendra Singh shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when requires for interrogation;

[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 aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560];



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

28.11.2025

rna

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, Omalur.
- 2.The Inspector of Police,
Tharamangalam Police Station,
Salem District.
- 3.The Superintendent of Prison,
Central Jail, Salem.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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