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Crl.OP.No.34465 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.34465 of 2025

N.Kannan

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Anaimalai Police Station,
Coimbatore District.
(Crime No.635 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.635 of 2025 on the file of the respondent police.

For Petitioner : Mr.B.Sargunam

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 22.11.2025 for the offences punishable under Sections 24(1) of Cigarettes and other Tobacco Products Act, 2023 @ 24(1) of COTPA r/w Section 123 of BNS, 2023 in Crime No.635 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner was found



in possession of 11.700 kilograms of banned tobacco products in a petty shop. Hence, a complaint was registered and the petitioner was arrested.

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3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody since 22.11.2025. Hence, he prayed to grant bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent reiterated the prosecution case and submitted that the petitioner has no previous case, contraband was recovered from the petitioner and that investigation is still pending. Hence, he opposed for grant of bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the submissions of the learned counsel on either side, the fact that the petitioner has no previous case, the contraband was recovered and the period of his incarceration, this Court is inclined to grant bail to the petitioner 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)** with two sureties, for a like sum to the satisfaction of the *learned Judicial Magistrate No.II, Pollachi, Coimbatore District*, and on further



conditions that:-

[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 shall report before the concerned Court daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

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

[d] the petitioner 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 petitioner in accordance with law as if the 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)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be

registered under Section 269 B.N.S.

16.12.2025

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.

To

- 1.The Judicial Magistrate No.II,
Pollachi, Coimbatore District.
- 2.The Inspector of Police,
Anaimalai Police Station,
Coimbatore District.
- 3.The Superintendent,
Pollachi Sub Jail.
- 4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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