



WEB COPY

CRL OP No. 35800 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35800 of 2025

Pechiyammal

Petitioner(s)

Vs

State Rep By
The Inspector of Police, Thakkolam
Police Station, Kanchipuram District.
Crime No.347 of 2025

Respondent(s)

PRAYER

To enlarge the petitioner on bail in Cr.No.347 of 2025 pending on the file of the respondent police and thus render justice.

For Petitioner(s): Mr.A. Saranraj

For Respondent(s): Mr.S.Vinoth Kumar Government
Advocate (crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.12.2025 for the offences punishable under Section 24(1) of COTPA Act, 2003 and Section 123 of BNS Act, 2023 in Crime No.347 of 2025 on the file of the respondent police, seeks bail.



WEB COPY

2. The case of the prosecution is that the petitioner was found in illegal possession of 420 packs of Hans Tobacco, each 20 grams, 100 packs of Cool Lip packs, each 12.6 grams, 55 packs of Swagat Gold Tobacco, each 20 grams and 300 packs of Vimal Panmasala, each 2.5 grams, totalling to 11.510 Kgs of banned tobacco products. Hence, the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case against the petitioner and she was arrested and remanded to judicial custody on 11.12.2025. According to the prosecution, the petitioner had illegally possessed 11.510 Kgs of banned tobacco products. In fact, the petitioner is innocent and she has not committed any offence as alleged by the prosecution. This case has been foisted against the petitioner for statistical purpose. Therefore prayed to grant of bail to the petitioner.

4. The learned Government Advocate (criminal side) would submit that this case was registered as against the petitioner for the illegal possession of banned tobacco products, investigation in this case is pending and that the petitioner has no previous case of similar nature. However, he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of offences and also taking note of the fact that



the petitioner is in judicial custody from 11.12.2025, moreover, the petitioner has no previous case and also considering the period of incarceration of the petitioner from 11.12.2025, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the **Learned Judicial Magistrate-No.II, Arakkonam**, and on further conditions that:

[b] the petitioner shall report before the respondent police every Saturday for a period of four weeks;

[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which she is suspected;

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

[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the



WEB COPY

CRL OP No. 35800 of 2025



learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

Index: Yes/No

26-12-2025

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Jeni

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 official website of this Court will be watermarked and will also have a QR code

To

1. The Inspector of Police, Thakkolam Police Station,
Kanchipuram District.

2. Learned Judicial Magistrate No.II, Arakkonam.

3. The Superintendent, Special Prison For Women, Vellore.

4. The Public Prosecutor, Madras High Court, Chennai.



WEB COPY

CRL OP No. 35800 of 2025



P.DHANABAL J.
Jeni

CRL OP No. 35800 of 2025

26-12-2025