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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 09.01.2026
CORAM
THE HONOURABLE MR JUSTICE **K.RAJASEKAR**
Crl.O.P.No.386 of 2026

Elumalai

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
B2 R.S. Puram Police Station,
Coimbatore District
(Crime No.560 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioner on bail in Crime No.560 of 2025 pending on
the file of the Respondent Police.

For Petitioner : Mr.M.N. Balakrishnan

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on **06.12.2025** for the alleged offence under **Sections 6(a) and
24(1) of the Cigarettee and other Tobacco Products Act, 2003 and
Section 123 of BNS, 2023 in Crime No.560 of 2025** on the file of the
respondent police, seeks bail.

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2. The case of prosecution is that the petitioner was in possession of 3.5 kgs of banned tobacco products. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and was in judicial custody since **06.12.2025**. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to cooperate with the investigation. Hence, the learned counsel prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police reiterated the prosecution case and, upon instructions submitted that there is one previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.

5. I have heard the learned counsel on either side and also perused the materials available on record.

6. Considering the facts and circumstances of the case, and also taking note of the submission made by the learned Government Advocate (Crl. Side) and the fact that the quantity involved in this case and also considering the



period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

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7. Accordingly, the petitioner 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-IV, Coimbatore** 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 shall appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[c] 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



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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]**

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

09.01.2026

smn

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-IV, Coimbatore**
2. The Inspector of Police,
B2 R.S. Puram Police Station,
Coimbatore District
3. The Superintendent, Central Prison, Coimbatore
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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