



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.985 of 2026

Ameeruddin

... Petitioner

Vs

The State rep. by,
The Inspector of Police,
Omerabad Police Station,
Tirupattur District.
(Crime No.439 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in Crime No.439 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.E. Kannadasan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.12.2025 for the offence under Sections 24(1) of Cigarette and other Tobacco Products Act 2003 and Section 123 of BNS 2023 in Crime No.439 of 2025, registered on the file of the respondent police, seeks bail.



2. The case of the prosecution is that based on a secret information, the respondent police went to the spot and found that the petitioner was in possession of 9 kgs of banned tobacco products. Hence a case was registered by the respondent police.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that there is one previous case pending against the petitioner and they have recovered the tobacco products from the petitioner.

5. Considering the facts and circumstances of the case, and the fact that even though there is one previous case pending against the petitioner considering the quantity involved in this case is not a commercial quantity and the period of incarceration undergone by the Petitioner this Court is inclined to grant bail to the petitioner herein with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail on their 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 Additional District Munsif cum Judicial Magistrate, Ambur 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 report before the respondent police daily at 10.30 a.m., for a period of three 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 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]**;



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

19.01.2026

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 Inspector of Police,
Omerabad Police Station,
Tirupattur District.
2. The Additional District Munsif cum Judicial
Magistrate, Ambur
3. The Sub Jail, Ambur
4. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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