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CRL OP No. 1965 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 1965 of 2026

1. Sekar

S/o. Rajamanikkam, D.No.251,
Ondimavadhur, Thadampatti Post,
Ondimavadhur Village, Pochampalli
Taluk, Krishnagiri District. Tamil Nadu
- 635201.

Petitioner(s)

Vs

1. The State Represented by The
Inspector of Police,
Pochampalli Police Station. Krishnagiri
District. Crime No.382 of 2025.

Respondent(s)

PRAYER

To enlarge the petitioner on bail pending investigation in the connection with Crime No.382 of 2025 on the file of the Pochampalli Police Station, Krishnagiri District and thus render Justice.

For Petitioner(s): B.Balaji

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.01.2026, for the offence punishable under Sections 7(1) read with section



20(2) of the COTPA Act, 2003 and section 123 of BNS 2023 in Crime No.382 of 2025, registered on the file of the respondent, seeks bail.

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2. The allegation against the petitioner is that the petitioner rented his premises to A2 and A3, and he joined with them and involved in storing 102 kgs of banned tobacco products. Hence, the case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner was not aware about the storing of contraband in his premises by A2 and A3. He further submitted that the petitioner is in judicial custody since 04.01.2026 and he is not having any previous case and is ready to cooperate with the investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and submitted that A2 and A3 have not yet been secured and the investigation in this case is pending. Hence, he opposed for grant of bail to the petitioner.

5. Considering the quantity involved in this case and also considering the period of incarceration and the nature of the allegations levelled against the petitioner, this Court is inclined to grant bail to the petitioner with certain



conditions:

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6. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **District Munsif Cum Judicial Magistrate, Pochampalli**, 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 four weeks.

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] 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];

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

29-01-2026

Mpa
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

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 District Munsif Cum Judicial Magistrate, Pochampalli.

2.The State Represented by The
Inspector of Police,
Pochampalli Police Station. Krishnagiri
District. Crime No.382 of 2025.

3.The Officer Incharge, Uthangarai Sub
Jail, Krishnagiri District.

4.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR J.
mpa

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