



WEB COPY

Crl.O.P.No. 1797 of :



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 1797 of 2026

1.Durgeshkumar

2.Gopal Singh

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Nemili Police Station
Ranipet District
Crime No. 496 of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioners on bail in Crime No.
496 of 2025 on the file of respondent police seeks bail.

For Petitioners : Mr.D.Thirumoorthy

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
20.12.2025, for the offences punishable under Sections 7(5) and 20(2) of
Cigarette and Other Tobacco Products Act, 2003 (COTPA) and Section 123
of BNS Act, 2023 (328 of IPC) on the file of respondent police, seeks bail.



2. The allegation against the petitioners is that the petitioners joined hands with other accused in transportation and possession of 490 banned tobacco products from Chennai to Sriperumpudur and on the way, the vehicle was intercepted by the police party and the banned tobacco products were seized and the petitioners have been arrested on 20.12.2025.

3. The learned counsel for the petitioner submitted that the petitioners have not been cross examined from 2013 and the petitioners are not having any previous cases. He further submitted that the petitioners are ready to abide by any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioners were arrested recently and the FIR has been registered in the year 2025. He further submitted that investigation is pending and therefore, he opposed for grant of bail to the petitioners.



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5.Considering the fact that investigation is pending; the petitioners were arrested and the FIR has been registered recently, and the petitioners are not having any previous cases, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition shall stands dismissed.

28.01.2026

MSM

To

1.The Inspector of Police,
Nemili Police Station
Ranipet District
Crime No. 496 of 2025.

2.The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR J.

MSM

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