



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.3828 of 2026

Ramesh Pandiyan

... Petitioner

-VS-

State Rep by,
The Inspector of Police,
Anuparpalayam Police Station,
Tiruppur.
(Crime No.611 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail in Crime No.611 of 2025 on the file of the respondent police.

For Petitioner : Mr.M.Vinoth

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.12.2025 for the alleged offence punishable under Section 123 of BNS Act and Section 24(1) of COTPA, in Crime No.611 of 2025, registered on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in possession of 397.500 kgs of banned tobacco products which is a commercial quantity. Hence, a case has been registered and the petitioner was arrested.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that the petitioner has three previous cases of similar nature; and that the investigation is pending.

5. Earlier, this Court dismissed the bail petition filed by the petitioner in Crl.OP.No.1669 of 2026 dated 27.01.2026 on the ground that the petitioner has previous antecedents and that the quantity involved in this case is huge.

6. Considering the period of incarceration and the fact that the final report has not yet been filed even after lapse of 60 days, though it is stated that the petitioner has previous antecedents this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his



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 **Judicial Magistrate Court No.III, Tiruppur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book 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] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned 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];



[f] If the accused thereafter absconds, a fresh FIR

can be registered under Section 269 B.N.S.

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17.02.2026

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 No.III,
Tiruppur.

2.The Inspector of Police,
Anuparalayam Police Station,
Tiruppur.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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