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CRL OP No. 4242 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 20-02-2026**

CORAM

**THE HON'BLE MR.JUSTICE K.RAJASEKAR**

**CRL OP No. 4242 of 2026**

Venkatesan

..Petitioner(s)

Vs

The State Rep. by  
The Inspector of Police,  
Manavalanagar Police Station,  
Manavalanagar,  
Tiruvallur District.  
Crime No.33/2026

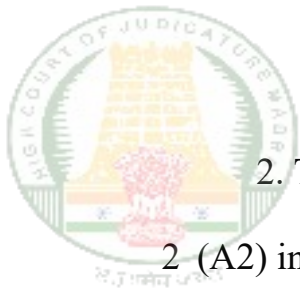
..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in connection with the Crime No.33 of 2026 pending investigation on the file of the respondent.

|                    |                              |
|--------------------|------------------------------|
| For Petitioner(s): | Mr.G.Jeremiah                |
| For Respondent(s): | Dr.C.E.Pratap, GA (Crl.Side) |

### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 27.01.2026 for the offences punishable under Sections 274, 275 of BNS read with Section 24(1) of COTPA Act & Section 77 of the Juvenile Justice (Care and Protection of Children) Act in Crime No.33 of 2026, registered on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that he is ranked as Accused No. 2 (A2) in the present case. Acting on the secret information, the respondent police conducted a raid at the petitioner's shop, where Accused No. 1 (A1) was found in illegal possession of banned tobacco products. Following the recovery of the items and the subsequent arrest of A1, a confessional statement was recorded. Based on this statement, the police team conducted a further search of the petitioner's petty shop, which led to the recovery of 128 kgs of banned tobacco products and gutkha from the petitioner's possession. Consequently, the petitioner was arrested, leading to the registration of the present case.

3. The learned counsel for the petitioner/A2 submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that only based on the confession statement of A1, this petitioner has been implicated in this case and petitioner is ready to abide any stringent conditions that may be imposed by this Court and he is judicial custody from 27.01.2026. Hence, he prayed for the grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) for the respondent police reiterated the prosecution's case and on instruction submitted that A1 in this case was arrested and subsequently released on bail. The petitioner is arrayed as A2 in this case. He further submitted that alleged contraband were seized from the accused, no previous case is pending against the petitioner, and the



investigation in this case is pending and opposed for grant of bail to the petitioner.

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5. Considering the overt act alleged against the petitioner, and taking into account that the co-accused (A1) is already released on bail and that the petitioner has no criminal antecedents, custodial interrogation of the petitioner is no longer required. Accordingly, the petitioner is granted bail subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, for a like sum to the satisfaction of the *learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvallur* 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 everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;**



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[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]**;

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

**20-02-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

gbi

**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,  
Manavalanagar Police Station,  
Manavalanagar,  
Tiruvallur District.
2. The Sessions Judge, Special Court  
of Exclusive Trial of Cases under  
POCSO Act, Tiruvallur.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,  
High Court of Madras.



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**K.RAJASEKAR, J.**

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