



WEB COPY

CRL OP No.4726 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No.4726 of 2026

Mohammed Ismail

..Petitioner(s)

Vs

State rep.by,
Inspector of Police,
Ambur Town Police Station,
Tirupathur District.
Cr.No.45/2026.

..Respondent(s)

Prayer:- Criminal Original Petition is filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail in Cr.No.45 of 2026 pending investigation on the file of the respondent Police.

For Petitioner(s):	Mr.T.Dhasarathan
For Respondent(s):	Mr.S.Vinoth Kumar Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.02.2026 for the alleged offence under Section 6 (a) and 24 (1) of the Cigarette and other Tobacco Products Acts 2003 r/w under Section 123 BNS in Crime No.45 of 2026 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 30kgs of banned tobacco products. Hence, the case.



3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been in custody since 10.02.2026. He further submits that co-accused in this case has already released on bail. He also submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and undertakes not to tamper with the witnesses. Hence, he prayed for grant of bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is having three previous cases and has been regularly doing similar nature of offences. He would further submit that if the petitioner is released on bail, he may abscond and tamper with witnesses and hence, he opposed the grant of bail.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Though the learned counsel for the petitioner would submit that second accused has already been released on bail, while looking at the factual position of the case, this petitioner seems to be the main accused and the learned Government Advocate (Criminal side) would bring to the knowledge of this Court that there are three previous cases against this petitioner. In such view of the position, it is pellucid that the petitioner has misused the liberty which had



been granted by this Court in earlier point of time. Hence, this Court is not inclined to enlarge the petitioner on bail.

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7. Accordingly, this Criminal Original petition is dismissed.

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C.KUMARAPPAN, J.

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To

1. Inspector of Police,
Ambur Town Police Station,
Tirupathur District.
2. The Public Prosecutor
High Court of Madras.

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