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Crl.O.P.No.5478 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

**THE HONOURABLE MR JUSTICE C. KUMARAPPAN**

**CRL OP NO.5478 of 2026**

Dhandapani

... Petitioner/ Accused

Vs

The State rep. by,  
The Inspector of Police,  
Tirupattur Taluk Police Station,  
Tirupattur District.  
(Crime No.85 of 2026)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in  
Crime No.85 of 2026 on the file of the respondent police.

**For Petitioner(s) :** Mr. E. Kannadasan

**For Respondent(s) :** Mr. S. Vinoth Kumar  
Government Advocate (Crl. Side)

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**ORDER**



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The petitioner, who was arrested and remanded to judicial custody on **19.02.2026** for the alleged offence under **Sections 6(a) and 24(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 123 of BNS in Crime No.85 of 2026** on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 19.02.2026 based on a specific information, the respondent team went to the place of occurrence, intercepted the petitioner herein and conducted search in his shop, thereby they found that the petitioner was in possession of 24 bundles of Hans (each bundle containing 20 grams packet - 15 nos.), totally weighing about 7.200 kilograms, for the purpose of illegal sale. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody since 19.02.2026 and the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side)



appearing for the Respondent Police while opposing the bail to the petitioner, reiterated the prosecution case and fairly submitted that there is no previous cases against the petitioner; and that the investigation in the present case is still pending.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned counsels on either side, it is seen that the petitioner was remanded to judicial custody on 19.02.2026 and that 7.200 kilograms of banned tobacco products were recovered. It is also stated that there is no previous cases against the petitioner and upon consideration of the totality of the circumstances, further custodial interrogation of the petitioner may not be necessary hereafter, 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 No.II, Tirupattur**, 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., and 5.30 p.m. for a period of four weeks and thereafter daily at 10.30 a.m. for a period four weeks and subsequently, 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 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]**;



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*Crl.O.P.No.5478 of 2026*

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

**04.03.2026**

stn

**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 No.II,  
Tirupattur.
2. The Inspector of Police,  
Tirupattur Taluk Police Station,  
Tirupattur District.  
(Crime No.85 of 2026)
3. The Superintendent,  
Sub Jail, Tirupattur.

**C. KUMARAPPAN, J.**

stn

4. The Public Prosecutor,



High Court of Madras.

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