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CRL OP No. 5981 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5981 of 2026

Mohammed Yousuf @ Yousuf Khan
S/o. Abdul Raheem,
No.7, 1st Cross,
10th Cross Puttanna Lane,
Near Police Road,
Ranasinghpet,
Bangalore South,
Karnataka- 560 053.

..Petitioner(s)

Vs

State Represented by

The Station House Officer
Annamalainagar police Station,
Cuddalore District.
[Crime No. 14/2026]

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail concerned in Crime No. 14/2026 pending investigation on the file of the respondent.

For Petitioner(s): Mr. C.Ramkumar

For Respondent(s): Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.02.2026 for the alleged offences under Section 123 and 275 of B.N.S. read



with Section 24(1) of Cigarette and other Tobacco Products Act in Crime No.14 of 2026 on the file of the respondent police, seeks bail.

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2. The *case of the prosecution* is that on 11.01.2026, at about 8.30 a.m., during the routine vehicle check-up, the respondent police intercepted TATA Indica Car bearing Registration No.TN20-CK-6951 and found that A1 to A3 were travelling and transporting the banned Tobacco products viz., 1500 packets of Hans, 80 Packets of Cool Lip, 39 numbers of Ganja Chocolate, 37 numbers of Ganja powder and 59 numbers of Ganja Miraj pockets. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been implicated in this case as an accused only based on the confession statement of the co-accused and no recovery was made from this petitioner. He would further submit that considering the incarceration period of the petitioner from 08.02.2026, he may be enlarged on bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and he would further submit that there is a similar nature of case pending against the petitioner and hence objected to release the petitioner on bail.



5. From the submissions made by the learned Government Advocate (Criminal side), it is seen that there is one case of similar nature is pending against this petitioner. However, the learned counsel for the petitioner would submit that no recovery was effected from the petitioner and that he has been implicated in this case only based on the confession statement of the co-accused.

6. Looking into the factual position that this petitioner has been under incarceration since 08.02.2026, this Court is of the view that by this time, investigation might have been completed. In such view of the position, this Court is inclined to grant bail to the petitioner, subject to the following stringent 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.I, Chidambaram** 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 twice at 10.30 a.m. and 5.30 p.m. for a period of 4 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 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]:

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

09-03-2026

MJS

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.I, Chidambaram.
2. The Station House Officer, Annamalai Nagar police Station, Cuddalore District.
3. The Superintendent of Police, Central Prison, Cuddalore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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