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CRL OP No. 6000 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. 6000 of 2026

Vinayagam S/o Gopal,
No.82, Perumal Kovil Street,
Kangiyannur, Villupuram Taluk,
Villupuram - 605302.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Kanai Police Station,
Villupuram District.
(Crime No.28/2026)

..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 in Cr.No.28 of 2026 on the file of the respondent police.

For Petitioner(s): Mr. G.Saravanabhavan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.02.2026 for the alleged offences under Sections 123, 274, 275 of B.N.S. read with Section 24(1) of COTPA in Crime No.28 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that based on the secret information, during the inspection conducted by the respondent police, the petitioner along with other accused were found to be illegally transported banned products viz., 4500 packets of Hans, 8250 packets of Vimal Pan Masala and 8250 packets of VI pan masalla in a two wheeler. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner has been falsely implicated in this case and hence, he may be enlarged on bail.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and objected to grant bail to the petitioner on the ground that there were three previous cases against the petitioner. However, he fairly submits that out of three previous cases, two cases were disposed of with fine.

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

6. From the submissions made by the learned Government Advocate (Criminal side), it is seen that there were three previous cases pending against the petitioner and out of which, two cases were disposed of with fine.



7. While looking into the factual position that this petitioner has been under incarceration since 15.02.2026, this Court is of the view that by this time, investigation might have been completed and therefore, no more custodial interrogation is required. In such view of the position, taking into consideration the gravity of allegations against the petitioner, age of the petitioner and his long incarceration since 15.02.2026, 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, Villupuram** 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, to appear daily at 10.30. a.m. for a period of 2 weeks and thereafter as and when required by the respondent police 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, Villupuram.
2. The Inspector of Police, Kanai Police Station, Villupuram District.
3. The Sub Jail, Vedampattu.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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