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CRL OP No. 5976 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 5976 of 2026

Samson Clifford Kumar S/o.Muthusamy,
No. 7/1, N.G.R.Street,
Sowripalayam,
Coimbatore- 641 028.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
D-1 Ramanathapuram Police Station,
Coimbatore,
Coimbatore District.
Cr.No. 40/2026.

..Respondent(s)

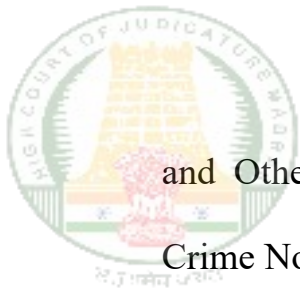
PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in Crime No. 40/2026 pending on the file of the Inspector of Police, D-1 Ramanathapuram Police Station, Coimbatore.

For Petitioner(s): Mr. C.D.Sugumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.02.2026 for the alleged offences under Sections 6(a) and 24(1) of Cigarettes



and Other Tobacco Products (COTPA) 2003 and Section 123 of B.N.S. in Crime No.40 of 2026 on the file of the respondent police, seeks bail.

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2. The *case of the prosecution* is that on 13.02.2026 at about 10 a.m., while the respondent were on routine patrol duty, based on a secret information, when they conducted enquiry in the shop of A1 at Bharathi Nagar, Ramanathapuram, Coimbatore, they found 55 kgs of banned Tobacco products. 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 no previous case except the present case and the petitioner is ready to abide by any condition that may be imposed by this Court and hence prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case. Though the learned Government Advocate strongly opposed the bail application, he fairly submits that there is no previous case against the petitioner.

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 the petitioner has been under incarceration from 12.02.2026, that there is no previous case against the petitioner and the seized quantity of Tobacco products are only 55 kgs. Therefore, considering the fact that the petitioner has not come in the adverse notice of the respondent police previously, this Court would like to show some leniency on the belief that the petitioner will not indulge in any criminal activities in future.

7. In such view of the above reasons, this Court is inclined to grant bail to the petitioner, subject to the following stringent conditions:

8. 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.VI, Coimbatore** 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 four 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.

10-03-2026

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.VI, Coimbatore.
2. The Inspector of Police, D-1 Ramanathapuram Police Station, Coimbatore, Coimbatore District.
3. The Superintendent of Police, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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10-03-2026