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CRL OP No. 7023 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7023 of 2026

Mohammed Abdulla

..Petitioner

Vs

The state Rep by its,
Station House Officer,
Kullanchavadi Police Station,
Cuddalore District.
Crime No.354/2025.

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.354 of 2025 on the file of the respondent police.

For Petitioner: Mr.R.Raji

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 29.12.2025 for the alleged offences under Sections 275, 123 of the Bharatiya Nyaya Sanhita, 2023, r/w 24(1) of Cigarettes and other Tobacco Product Act, 2003 in Crime No.354 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 28.12.2025, during vehicle check, the respondent police intercepted a vehicle and found banned tobacco products weighing about 375 kilograms. Hence, the case was registered.



3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated based on confession of co-accused. It is submitted that the petitioner was not present at the place of occurrence and has no connection with the alleged offence. The learned counsel would further submit that the proposal to detain the petitioner under the Goondas Act has been revoked by the Board. It is also submitted that the petitioner has been in incarceration since 29.12.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that huge quantity of banned tobacco products were seized in this case. It was further submitted that initially, a detention order was passed under the Goondas Act; however, the detention order has now been revoked. He further submitted that the offence is of a serious nature involving a large quantity and hence, he opposes the granting of bail to the petitioner.

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

6. From the submission of the learned counsel on either side, this Court is of the view that the detention order passed against the petitioner under the Goondas Act has been revoked. The petitioner has been in incarceration since



29.12.2025. Although huge quantity of Tobacco Product has been recovered, considering the long incarceration and the fact that the detention order has been revoked, this Court is inclined to enlarge the petitioner on bail, 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 for a like sum each to the satisfaction of the learned **District Munsif-cum-Judicial Magistrate, Kurinjipadi**, and subject to the following conditions:

[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 twice a day at 10.30 a.m. and 05.30 p.m. until further orders;

[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 take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on



bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]*;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

8. It is made clear that no petition seeking relaxation of the above conditions shall be entertained within a period of sixty (60) days from the date of release of the petitioner.

18-03-2026

NSL

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 District Munsif Cum Judicial Magistrate, Kurinjipadi.
2. Central Prison, Cuddalore.
3. The Station House Officer, Kullanchavadi Police Station, Cuddalore District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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