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CRL OP No. 7349 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7349 of 2026

1. Yuvaraj Babu S/o. Babu,
8/3, Earikkollai, Kovilur,
Jamunamaruthur,
Polur,
Tiruvannamalai,
Tamil Nadu - 635 703.
2. Arulkumar S/o. Perumal,
2nd Street, Earikkollai,
Jamunamaruthur, Polur,
Tiruvannamalai,
Tamil Nadu - 635 703.

..Petitioner(s)

Vs

State of Tamilnadu represented by:

The Inspector of Police,
North Police Station,
Tiruppur.
[Cr.No.204/2026]

..Respondent(s)

PRAYER: The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to grant bail to the Petitioners / Accused No.1 and 2 in Cr.No.204 of 2026 on the file of the Respondent.

For Petitioner(s):

Ms. R. Radha Pandian

For Respondent(s):

Mr. S. Vinoth Kumar,
Government Advocate (Criminal side)



ORDER

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The petitioners, who were arrested and remanded to judicial custody on 27.02.2026 for the alleged offences under Sections 123 of B.N.S. read with Section 22(a) of COTPA and Section 59 of Food Safety and Standard Act, 2006 in Crime No.204 of 2026 on the file of the respondent police, seeks bail.

2. The *case of the prosecution* is that the petitioners along with other co-accused were found in illegal possession of 271.600 kgs of banned Tobacco products for the purpose of selling the same to public at large for unlawful gain. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been under incarceration since 27.02.2026. He would further submit that the petitioners have not involved in any other previous cases and they are ready and willing to abide by any condition that may be imposed by this Court and hence prays for grant of bail to the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent police reiterated the prosecution case and objected the bail application by stating that totally there are five accused and these petitioners are



A1 and A2 and huge quantity of banned Tobacco products i.e., 271.600 kgs were recovered from the accused. However, he fairly submitted that there are no previous cases against the petitioners and property has been recovered.

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, this Court is able to find that these petitioners have no previous cases and the petitioners are in judicial custody since 27.02.2026. Though huge quantity of Tobacco products i.e., 271.600 kgs have been recovered from the accused, considering the long incarceration of the petitioners from 27.02.2026, upon the fact that these petitioners have no previous cases and by this time, investigation might have been completed, this Court is inclined to enlarge the petitioners on bail, subject to the following stringent conditions:

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- each (Rupees Twenty-five Thousand only) with two sureties each, for a like sum to the satisfaction of the **learned Principal Sessions Judge, Tiruppur** 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 petitioners shall sign before the respondent police daily twice at 10.30 a.m. and 5.30 p.m. for a period of two weeks and thereafter, as and when required by the investigation officer, for interrogation.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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.

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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 Principal Sessions Judge, Tiruppur.
2. The Inspector of Police, North Police Station, Tiruppur.
3. The District Prison, Tiruppur.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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