



WEB COPY

CRL OP No. 7569 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 25-03-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 7569 of 2026**

Vethanayagam @ Karthick  
S/o.Jagannathan,  
No.124, Londonpatti, Morasapalli, Pernampet  
Taluk, Vellore District.

..Petitioner(s)

Vs

**The State represented by:**

The Inspector of Police  
Paradarami Police Station,  
Vellore District.  
(Crime No.02 of 2026)

..Respondent(s)

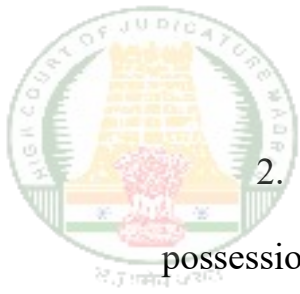
**PRAYER:** The Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner's on bail in Crime No.2/2026 pending investigation on the file of the respondent.

For Petitioner(s): Mr. E.Kannadasan

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

**ORDER**

The petitioner, who was arrested under P.T. Warrant and remanded to judicial custody on 12.02.2026 for the alleged offences under Section 7(5) and 20(2) of Cigarette and Other Tobacco Prohibition Act 2003 and Section 123 of B.N.S. in Crime No.2 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is the petitioner was found in illegal possession of banned Tobacco products viz., 150 nos. of Has Chappa Tobacco, 51 nos. of Cool Lip packets, 52 nos. of Vimal Pan Masala, 52 nos of VI Tobacco, 5 nos. of M-scented Tobacco gold, and 5 nos. of RMD Pan Masala. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been under incarceration since 12.02.2026. He would further submit that the petitioner has been falsely implicated in this case and he is ready and willing 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 and objected the bail application on the ground that there are three previous cases pending against the petitioner. However, he would fairly submit that in this case, property has been recovered.

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



6. Though the learned Government Advocate objected to enlarge the petitioner on bail on the ground that the petitioner has 3 previous cases, considering the recovery of products, which are only 55 kgs of Tobacco products, taking into consideration the totality of circumstances, the long incarceration of the petitioner since 12.02.2026, this Court is inclined to enlarge the petitioner on bail, 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, Gudiyatham** 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 sign before the respondent police daily twice at 10.30 a.m. and 5.30 p.m. for a period of 2 weeks and thereafter, as and when required by the investigation officer, 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.

**25-03-2026**

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, Gudiyatham.
2. The Inspector of Police, Paradarami Police Station, Vellore District.
3. The Sub Jail, Gudiyatham.
4. The Public Prosecutor, High Court of Madras.



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**C.KUMARAPPAN, J.**

**MJS**

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