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CRL OP No. 9287 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9287 of 2026

Subash Chandra Boss

..Petitioner

Vs

The Inspector of Police,
Melpadi Police Station,
Vellore District.
Crime No.18 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.18 of 2026 pending on the file of respondent.

For Petitioner:

Mr.S.Kalaikumar

For Respondent:

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.03.2026 for the alleged offences under Sections 7(5), 20(2) of Cigarette and other Tobacco Products Acts, 2003 and 123 of the Bharatiya Nyaya Sanhita, 2023 (328 of Indian Penal Code, 1860, in Crime No.18 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 08.03.2026 at about 16:00 hours, the petitioner and other accused persons were found in possession of 126.220 kilograms of banned tobacco products, which were allegedly transported from a neighbouring State into Tamil Nadu for sale. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case and he is no way connected with the alleged occurrence. The learned counsel would further submit that the petitioner has no intention to commit any offence and there are no materials to connect him with the alleged transportation. It is also submitted that the petitioner is ready to furnish sureties and abide by any conditions imposed by this Court. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner has been remanded to judicial custody on 08.03.2026 for illegal transportation of banned tobacco products weighing about 126 kilograms. It is further submitted that there are no previous cases against the petitioner. The learned Government Advocate (Crl.Side) would fairly submit that co-accused A1 and A3 have already been released on bail in Crl.O.P.No.8987 of 2026. However, he opposed to grant bail to the petitioner.



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

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6. Considering the submission of the learned counsel on either side and taking into consideration of the fact that there are no previous cases against the petitioner, the petitioner has been in custody since 08.03.2026 and the co-accused have already been enlarged on bail in Crl.O.P.No.8987 of 2026, this Court is inclined to extent parity to the petitioner and enlarge him 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 **Judicial Magistrate, Katpadi**, 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 5.30 p.m. for a period of two weeks and thereafter as and when required 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 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.

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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 learned Judicial Magistrate, Katpadi.
2. The Superintendent, Central Prison, Vellore.
3. The Inspector of Police, Melpadi Police Station, Vellore District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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