



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9304 of 2026

1. Palraj
2. Pavunraj

..Petitioners

Vs

The State rep. by
Inspector of Police
Kottur Police Station,
Coimbatore District,
(Crime No.99/2026).

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners pending investigation in Crime No.99 of 2026 on the file of the respondent police.

For Petitioners: Mr.S.Velmurugan

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.03.2026 for the alleged offences under Section 24(1) of the COTPA Act, 2003 and Section 123 of the BNS, 2023 (Section 328 of Indian Penal Code, 1860) in Crime No. 99 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that based on secret information, the respondent police intercepted the petitioners and found banned tobacco products in his car, namely Hans Tobacco, Ganesh Tobacco, Cool Lips packets, Vimal Pan Masala and other products, totally weighing about 230.580 kilograms. Hence, the case was registered.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case and there are no previous cases against them. It is further submitted that the petitioners have been in custody for more than 20 days. The learned counsel would further submit that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners were remanded to judicial custody on 17.03.2026 for illegal transportation of banned tobacco products. It is further submitted that there are no previous cases against the petitioners and the investigation has been completed.

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



6. Considering the submissions of the learned counsel on either side, this Court is of the view that, given the fact that there are no previous cases against the petitioners and the investigation has been completed and taking into consideration the overall circumstances, this Court is inclined to grant bail to the petitioners, subject to certain conditions

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond each 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 No.2, Pollachi**, 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 petitioners shall report before the respondent police at 10.30 a.m. for a period of 30 days and thereafter as and when required 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 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 petitioners thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

15-04-2026

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 learned Judicial Magistrate No.2, Pollachi.
2. Central Jail, Coimbatore.
3. The Inspector of Police, Kottur Police Station, Coimbatore District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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