



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 10744 of 2026

Vaitheshwaran @ Vaithee

..Petitioner(s)

Vs

The State rep. by the Inspector of Police
Shevapet Police Station, Shevapet,
Salem City.
Crime No. 32 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.32 of 2026, pending investigation on the file of the respondent Police.

For Petitioner(s): Mr.R.Nalliyappan

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

ORDER

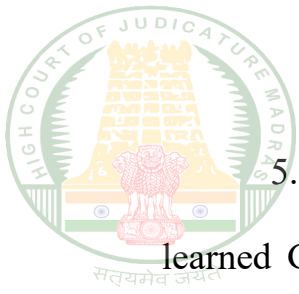
Petition seeking bail in respect of Crime No.32 of 2026 registered for the offences punishable under Section 77 of the Juvenile Justice (Care and Protection of Children) Act 2015 r/w Sections 6 and 24(1) of COTPA, is on board for consideration.



2. The learned counsel for the petitioner, pleading innocence on the part of the petitioner, who has been in incarceration since 03.04.2026 and false implication in the case, seeks indulgence of this Court. He also submits that the petitioner, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.25,000/- to any welfare scheme of the Government or any other organization. He also submits that the petitioner, aged about 19 years, is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused was found to be in illegal possession of 139 kgs. of banned tobacco products. He further submits that there is no previous case pending against the petitioner.

4. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** by way of RTGS/NEFT to the credit of **"The Dean/Medical Officer, Government Mohan Kumaramangalam Medical College Hospital, Salem"**, without prejudice to the right of defence before the trial Court and making it clear that it would not amount to admission of guilt.



5. Further, having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.III, Salem** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];***



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

28-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.III,
Salem.
2. The Inspector of Police
Shevapet Police Station, Shevapet,
Salem City.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.



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CRL OP No. 10744 of 2



A.D.JAGADISH CHANDIRA, J.

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CRL OP No. 10744 of 2026

28-04-2026