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Crl.O.P.No.11640 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP NO.11640 of 2026

V. Santhosh Kumar

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
Variety Hall Police Station,
Coimbatore – 641 001.
(Crime No.50 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.50 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr. P.R. Ramesh Babu

For Respondent(s) : Mr. V.J. Priyadarsana
Government Advocate (Crl. Side)

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 23.02.2026 for the offences punishable under Sections 7(1) and 20(1) of The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 [Act 34 of 2003] read with Section 123 of the Bharathiya Nyaya Sanhita (BNS) in Crime No.50 of 2026, registered on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 45.600 kilograms of banned tobacco products for the purpose of illegal sales to general public. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 23.02.2026. It is further submitted that the petitioner is ready to cooperate with the investigation and will appear before the respondent police as and when required. He further submitted that the petitioner, without prejudice to his rights, is ready to deposit a sum of Rs.25,000/- to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the bail to the petitioner, reiterated the prosecution's case and submitted that the petitioner was involved in yet another case of similar nature.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, the submissions made by the learned counsels on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal District & Sessions Judge, Coimbatore** 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 deposit a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) (Non refundable) towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Andhra Bank, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFS Code No.ANDB0001497, Branch Name and Code 1497, MICR No.600011049 and to produce the Bank Challan before the learned Principal District & Sessions Judge, Coimbatore and the receipt shall be produced at the time of executing the bond;

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[d] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned



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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]**;

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

07.05.2026

stn/ dpa

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.

L. VICTORIA GOWRI, J.

stn/ dpa

To



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1. The Principal District & Sessions Judge, Coimbatore.
2. The Inspector of Police,
Variety Hall Police Station,
Coimbatore – 641 001.
(Crime No.50 of 2026)
3. The Superintendent,
Coimbatore Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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