



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL OP No. 11589 of 2026

Ajith

..Petitioner

Vs

The Inspector of Police,
Valivalam Police Station,
Nagapattinam District.
Crime No.33 of 2026

..Respondent

Prayer: Criminal Original Petition filed under section 483 of B.N.S.S to enlarge the petitioner on bail in Crime No.33 of 2026 on the file of the Inspector of Police, Valivalam Police Station, Nagapattinam District.

For Petitioner:

Mr.N.Palanivel

For Respondent:

Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.04.2026 for the alleged offences under Sections 123 of BNS Act (328 of IPC) and Section 6 r/w 24(1) of Cigarette and Other Tobacco Products Act in Crime No.33 of 2026 on the file of the respondent police, seeks bail.

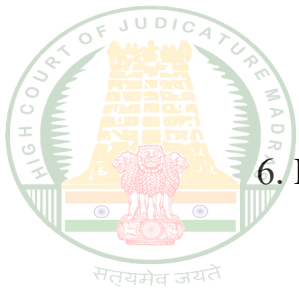


2. The case of the prosecution is that the petitioner was found transporting 20 bundles of Hans and huge quantity of banned tobacco products on a two wheeler. Hence, this case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case without any basis. It is submitted that the petitioner is ready to cooperate with the investigation and he will appear before the respondent police as and when required. The learned counsel would further contend that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prayed for granting bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that the petitioner was arrested on 16.04.2026. He further submitted that there is no previous case pending against the petitioner.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defense and contention, is ready and willing to deposit an amount of Rs.10,000/- to any association. Hence, he prays for grant of bail to the petitioner.



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

7. Considering the facts and circumstances of the case, the nature of the allegations and the submissions made by learned counsel on either side, and taking note of the period of incarceration undergone by the petitioner as well as the fact that the petitioner has volunteered to deposit a sum of Rs.10,000/- to the credit of the 'Tamil Nadu Advocates' Clerks Association, Chennai', this Court is inclined to grant bail to the petitioner subject to certain conditions.

8. Accordingly, the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as cost to the **Tamil Nadu Advocate Clerk Association, Chennai, Account No. 484026006, Branch: Indian Bank High Court, IFSC No.IDIB000M157** and on such deposit, 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 **District Munsif cum Judicial Magistrate, Thirukkuvalai** 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;



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[b] the petitioner shall report before the respondent police daily at 10.30 a.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 petitioner in accordance with law as if the conditions had been imposed and the petitioner 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]*;

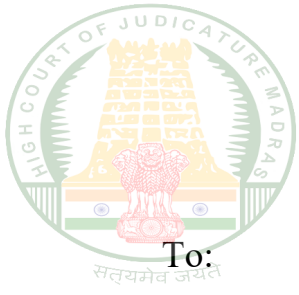
[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

06-05-2026

NSL/SHL

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:

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1. The District Munsif cum Judicial Magistrate, Thirukkuvalai.
2. The District Prison, Nagapattinam.
3. The Inspector of Police, Valivalam Police Station, Nagapattinam District.
4. The Public Prosecutor, High Court of Madras.



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L.VICTORIA GOWRI, J.

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