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CRL OP No. 13180 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 13180 of 2026

Mahalakshmi

..Petitioner

Vs

State Rep. by,
The Sub-Inspector of Police,
Vellore North L & O Police Station,
Vellore. Crime No.145 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant bail to the Petitioner/Accused No.1 in Crime No.145 of 2026 on the file of the respondent police.

For Petitioner:

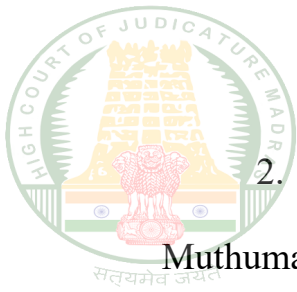
Mr.M.S.Sriraam

For Respondent:

Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.05.2026 for the alleged offences under Sections 6(a) and 24(1) of the Cigarettes and other Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and Section 123 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.145 of 2026 on the file of the respondent police, seeks bail.

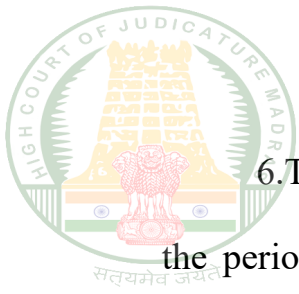


2. The case of the prosecution is that on 06.05.2026, near Muthumandapam, New Bus Stand, Vellore, the petitioner was found in possession of banned tobacco products weighing about 38 kilograms. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner was remanded to judicial custody on 07.05.2026 for alleged possession of 38 kilograms of banned tobacco products. It is further submitted that the co-accused have already been enlarged on anticipatory bail by this Court in Crl.O.P.No.12788 of 2026 dated 14.05.2026. The learned counsel would also submit that though the petitioner has another case of similar nature, she has already been granted bail by this Court in Crl.O.P.No.13263 of 2026. It is further submitted that the petitioner is a woman and has been in incarceration since 07.05.2026. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner was found in possession of a huge quantity of banned tobacco products. Hence, he opposed to grant of bail to the petitioner.

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



6. This Court is of the view that considering the nature of the allegation, the period of incarceration undergone by the petitioner since 07.05.2026, the fact that the co-accused have already been enlarged on anticipatory bail in Crl.O.P.No.12788 of 2026 dated 14.05.2026 and further considering that the petitioner is a woman, this Court is inclined to enlarge the petitioner on bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her 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 -IV, Vellore, 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 daily at 10.30 a.m. for a period of 30 days 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



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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.

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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 - IV, Vellore.
2. Central Prison, Vellore.
3. The Sub-Inspector of Police,
Vellore North L & O Police Station,
Vellore.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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