

CRL OP No. 13621 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP NO. 13621 OF 2026

Susainathan,
So.Chinnappan,
Mettu Street,
Porpalayam Village,
Sankarapuram Taluk,
Kallakurichi District.

..Petitioner /
Sole Accused

Vs

The State rep by,
The Inspector of Police
Thiyagadurgam Police Station,
Kallakurichi District.
(Crime No.364 of 2025)

..Respondent/
Complainant

PRAYER:- Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail to the petitioner in S.C.No.13 of 2026 on the file of the learned Additional District Judge, Kallakurichi.

For Petitioner : Mr.D.Balaji

For Respondent : Mr.L.Baskaran,
Government Advocate (Criminal Side)



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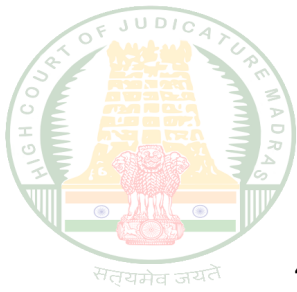
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ORDER

This Criminal Original Petition has been filed by the petitioner on 18.05.2026 under Section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner / accused was arrested and remanded to judicial custody on 24.08.2025 for the alleged offences punishable under Section 123 of BNS r/w Section 24(1) of COTPA Act, 2003, in Crime No.364 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner was involved in illegal possession of banned tobacco products namely 1098 packets of Hans @ Gutka (each containing 300 grams), 181 packets of Vimal Pan Masala (each containing 75 grams), 41 packets of Cool lip (each containing 100 grams) and 194 packets of VI Tobacco (each containing 12 grams), total weighing about 334.500 kilograms in his godown. Hence this case.



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4. Mr.D.Balaji, learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been in judicial custody since 24.08.2025. He further submits that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. He therefore prays to grant bail to the petitioner.

5. *Per contra*, Mr.L.Baskaran, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the respondent-police seized banned tobacco products from the Accused person. The respondent-police, after following the Act and Rules, seized the Narcotics / contraband. He further submits that investigation is in crucial stage and accordingly, he prays for the dismissal of this petition.

6. Heard on both sides. This Court has perused the materials available on record.

7. Considering the quantity of Narcotic Drugs (Intermediate quantity) involved in this case and also considering the period of



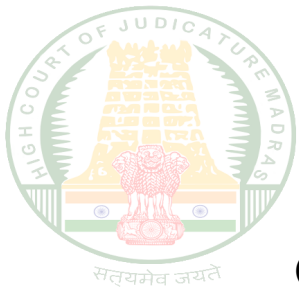
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incarceration, this Court is of the view that further custody of the petitioner is not necessary in this case. Hence, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Additional District Judge, Kallakurichi, Kallakurichi District.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Additional District Judge, Kallakurichi, Kallakurichi District, shall obtain a copy of any one of their identity proofs to ensure their identity.

(iii) The petitioner shall appear and sign before the learned Additional District Judge, Kallakurichi, Kallakurichi District, once in a week on every Monday at 10.00 a.m., and thereafter, the petitioner shall appear before the Trial Court on all hearing dates without fail;



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(iv) The petitioner shall furnish his residential address and mobile numbers to the learned Additional District Judge, Kallakurichi, Kallakurichi District.

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNSS, 2023.

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.

(vii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(viii) The petitioner shall also not directly or indirectly, cause any threat to the witnesses.



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(ix) The petitioner shall not try to contact the witnesses either directly or through any electronic mode.

(x) On breach of any of the aforementioned conditions, the learned Additional District Judge, Kallakurichi, Kallakurichi District or Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in ***P.K. Shaji vs. State of Kerala*** [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

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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 Additional District Judge, Kallakurichi,
Kallakurichi District
2. The Superintendent of Prison,
Central Prison, Cuddalore.
3. The Inspector of Police,
Thiyagadurgam Police Station,
Kallakurichi District.
4. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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