



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14861 of 2026

Prakash S/o.Vijayakumar,
No.12/45-A, Pension Line,
4th street, Line Medu,
Salem district.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
Ariyalur Police Station,
Ariyalur District.
[Cr.No.120/2026]

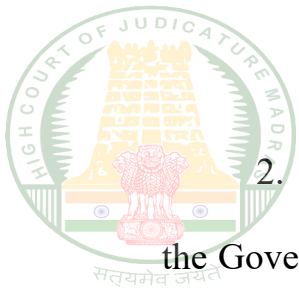
..Respondent(s)

PRAYER: This Criminal Original Petition has been filed under Section 483 of B.N.S.S. praying to enlarge the petitioner on bail in crime No.120 of 2026 on the file of the respondent police.

For Petitioner(s):	M/S. C.R. Gokulvisvas
For Respondent(s):	Mr. S. Yogaraja Sekar, Government Advocate (Criminal side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.04.2026 for the alleged offences under Sections 123, 275 of B.N.S. read with 59 of Food Safety and Standards Act and Section s 6(a) and 24(i) of Cigarette and Other Tobacco Products Act in Crime No.120 of 2026 on the file of the respondent police, seeks bail.



2. The *case of the prosecution* is that the petitioner had illegally stored the Government banned Tobacco products in his store room and 71 gunny bags of Tobacco products for the purpose of sale. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. The learned counsel would further submit that the petitioner is a retailer and he has been remanded to judicial custody on 02.04.2026 and hence prays for grant of bail to the petitioner.

4. At this juncture, the learned Government Advocate (Criminal side) appearing for the respondent police opposed the bail application and stated that total quantity of recovery of banned Tobacco products is 261 kgs and the petitioner has one previous case.

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

6. Though the total quantity recovered is 261 kgs of banned Tobacco products, since the petitioner is a retailer and he has been under judicial custody since 02.04.2026, this Court is inclined to enlarge the petitioner on bail, subject to the following stringent conditions:



7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty-five Thousand only)

with two sureties each, for a like sum to the satisfaction of the **Judicial Magistrate No.I, Ariyalur** 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 appear and sign before the respondent police daily at 10.30 a.m. and 5.30 p.m. until further orders;

[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 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]:

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

12-06-2026

MJS

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 Judicial Magistrate No.I, Ariyalur.
2. The Inspector of Police, Ariyalur Police Station, Ariyalur District.
3. The Superintendent of Police, Central Prison, Trichy.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

MJS

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