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Crl.O.P.No.16259 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.16259 of 2026

1. Arumugam
2. Sakthidasan

... Petitioner(s)

Vs.

The State rep. by the Inspector of Police,
Ariyalur Police Station,
Ariyalur.
Crime No.232 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.232 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.P.Mohan Lal

For Respondent(s) : Mr.S.Yogaraja Sekar,
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 15.06.2026 for the alleged offences under Sections 275 and 123 of the Bharatiya Nyaya Sanhita, 2023, read with Section 59 of the Food Safety and Standards Act, 2006 and Section 6(a) read with Section 24(1) of the COTPA Act, in Crime No.232 of 2026 on the file of the respondent police, seek bail.



2. The case of the prosecution is that the petitioners were found in possession of 19.916 kilograms of banned tobacco products. Hence, the case.

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3. The learned counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. He would further submit that the petitioners have been in judicial custody since 15.06.2026 and are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for the grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing the grant of bail, reiterated the prosecution case and, on instructions, submitted that the first petitioner has two previous cases of a similar nature, whereas the second petitioner has no bad antecedents. He further submitted that a major portion of the investigation has already been completed.

5. Though the first petitioner has two previous cases of a similar nature, considering the period of incarceration undergone by the petitioners and the fact that a major portion of the investigation has already been completed, this Court is inclined to enlarge the petitioners on bail, subject to certain conditions.



6. At this juncture, the learned counsel appearing for the petitioners submitted that the first petitioner, without prejudice to his defence, is willing to make a non-refundable deposit of a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of "The Dean, Government Medical College Hospital, Ariyalur, No.1, College Road, Rajaji Nagar, Ariyalur – 621713" to demonstrate his bona fides.

7. Accordingly, the petitioners are ordered to be released on bail on each of them 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 learned Judicial Magistrate-I, Ariyalur, and subject to the following conditions:

[a] the first petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only), on a non-refundable basis, to the credit of "The Dean, Government Medical College Hospital, Ariyalur, No.1, College Road, Rajaji Nagar, Ariyalur – 621713";

[b] the sureties shall affix their photographs and left thumb impressions in the Application for Suretyship [Judicial Form No.46 annexed to the Criminal Rules of Practice, 2019]. The learned Magistrate shall obtain a copy of any one of their identity proofs to ensure their identity;

[c] the petitioners shall report before the respondent police every day at 10.30 a.m. for a period of two weeks and



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thereafter as and when required for interrogation;

[d] the petitioners shall not abscond either during the investigation or trial;

[e] the petitioners shall not tamper with the evidence or witness either during investigation or trial;

[f] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners 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]***;

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

29.06.2026

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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 learned Judicial Magistrate-I, Ariyalur

2. The Superintendent, Central Prison, Trichy

3. The Inspector of Police, Ariyalur Police Station, Ariyalur

4. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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