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CRL OP No. 16453 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 16453 of 2026

Palani

..Petitioner

Vs

State of Tamilnadu,
Rep. by the Inspector of Police,
Katpadi Police Station,
Vellore District.
Crime No.143 /2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.143 of 2026 on the file of the respondent police.

For Petitioner:

Mr.C.Deepakkumar

For Respondent:

Mr.S.Yogaraja Sekar
Counsel for Government of Tamilnadu
(Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
05.06.2026 for the alleged offences under Sections 7(5), 20(2) of COTPA Act,
r/w 123 of the Bharatiya Nyaya Sanhita, 2023, in Crime No.143 of 2026 on the
file of the respondent police, seeks bail.



2. The case of the prosecution is that on 05.06.2026 at 10.00 a.m., the petitioner was intercepted near Katpadi Christianpet Check Post while carrying a white plastic bag containing about 10.500 kilograms of banned tobacco products, namely Hans and Cool Lip.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated and the quantity allegedly recovered is only banned tobacco products. It is further submitted that the petitioner has been in judicial custody since 05.06.2026 and his further custodial interrogation is not necessary. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) opposed the bail application by submitting that a substantial quantity of banned tobacco products was recovered from the petitioner.

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

6. From the submissions of the learned counsel on both sides, this Court is of the view that though this case involves the illegal transportation of banned tobacco products, taking into consideration the period of incarceration undergone by the petitioner since 05.06.2026 and the fact that their further



custodial interrogation is not required, this Court is inclined to enlarge the petitioner on bail, subject to certain condition.

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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 for a like sum each to the satisfaction of the learned **Judicial Magistrate, Katpadi**, 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. 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 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]***;



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

30-06-2026

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, Katpadi.
2. Central Prison, Salem.
3. The Inspector of Police, Katpadi Police Station, Vellore District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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