



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 30-06-2026**

CORAM

**THE HON'BLE MR.JUSTICE C.KUMARAPPAN**

**CRL OP No. 16526 of 2026**

Prakash Dhamotharan

..Petitioner

Vs

State rep.by  
Inspector of Police,  
Variety Hall Police Station,  
Coimbatore.  
Crime No.106/2026

..Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.106 of 2026 on the file of the Inspector of Police, Variety Hall Road Police Station, Coimbatore.

For Petitioner:

Mr.M.Mohamed Sakeel

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 16.05.2026 for the alleged offences under Sections 77 of Juvenile Justice Act, Section 123 of Bharatiya Nyaya Sanhita, 2023 and Sections 7(1) and 20(1) of COTPA in Crime No.106 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in illegal possession of 5 kilograms of banned tobacco products.

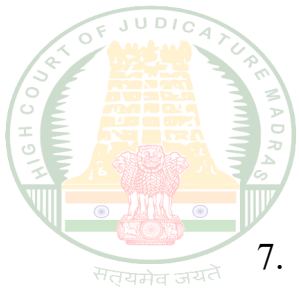
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3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence and has been falsely implicated. It is further submitted that the petitioner has been in judicial custody for more than fifteen days. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and submitted that there is no previous case pending against 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 16.05.2026 and the fact that the petitioner has no previous criminal antecedent, this Court is inclined to enlarge the petitioner on bail, subject to certain condition.



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 Court No.5, Coimbatore**, 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 Judicial Magistrate Court No.5, Coimbatore.
2. Central Prison, Coimbatore.
3. The Inspector of Police, Variety Hall Police Station, Coimbatore.
4. The Public Prosecutor, High Court of Madras.



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CRL OP No. 16526 of 2



**C.KUMARAPPAN, J.**

**NSL**

**CRL OP No. 16526 of 2026**

**30-06-2026**