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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30804 of 2026

CNR: {HCMA012562522026}

Sajid
S/o Usman,
Rajeena Manzil,
Venmanai, Anjarakandy,
Paduvilayi Taluk,
Kannur, Kezhallur District,
Kerala.

..Petitioner(s)

Vs

The State rep by the Inspector of Police
Ramanathapuram Police Station,
Coimbatore.
Crime no.323 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in connection with the Crime no.323 of 2026 on the file of the Respondent Police and pass such order or further order.

For Petitioner(s): Mr. D.Padmanabhan

For Respondent(s): Mr. M.M.I. Khaleel,
Government Advoate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.10.2026 for the alleged offences under Sections 123 of BNS Act and 24(1), 6(a) of Cigarettes and other Tobacco Products Act (COTPA) and Section 77 of

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JJ Act, in Crime No.323 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused was found in possession of 232.500 kgs of banned tobacco products. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner has been incarcerated since 02.10.2026. He further submitted that there are two previous cases similar in nature pending against him. However, he opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the submissions made by the learned counsel on both

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sides, this Court is of the view that, though the petitioner was found in possession of banned tobacco products and two previous cases are pending against him, taking into account the period of incarceration already undergone by the petitioner, this Court is inclined to enlarge the petitioner on bail subject to certain conditions.

7. At this juncture, the learned counsel for the petitioner submitted that the petitioner, without prejudice to his defense and contention, on instruction, is ready and willing to deposit an amount of Rs.1,00,000/- (Rupees One Lakh Only) as a non-refundable deposit to any welfare scheme of the Government or any other organization.

8. Accordingly, the petitioner is directed to deposit a sum of Rs.1,00,000/-(Rupees One Lakh only) as a non-refundable deposit by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram; Account Name: Tobacco Court Penalty Fund; A/c No.7417027486, IFSC Code – IDIB000K012; Branch : Kancheepuram,** and on such deposit and production of proof, 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 **learned Judicial Magistrate No.VI, Coimbatore,** and on further conditions that:

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[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 pass appropriate orders against the petitioner in acc 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];**

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

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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 Judicial Magistrate No.VI,
Coimbatore.

2. The Inspector of Police
Ramanathapuram Police Station,
Coimbatore.

3.The Superintendent, Central Prison,
Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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