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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 30820 of 2026

CNR: {HCMA012564222026}

Parasuraman,
S/o.Pazhanivel,
No.19, Pudhunagar,
Irulansandhai Pet,
Bahour Commune,
Puducherry.

..Petitioner(s)

Vs

The State Rep. by its,
The Station House Officer,
Bahour Police Station,
Puducherry.
Crime No.289 of 2026.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, praying to enlarge the petitioner on bail in Crime No.289 of 2026 pending investigation on the file of the Respondent Police.

For Petitioner(s): Mr.M.Mugilarasan

For Respondent(s): Mrs.G.Djearany Omprakash
Government Advocate (Puducherry)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.10.2026 for the alleged offences under Sections 6(a) read with 24(1) of the Cigarettes and Other Tobacco Products Act (COTPA), 2003, and Section 123 of

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the BNS, 2023, in Crime No.289 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 180 kg of banned tobacco products. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the contraband involved has already been seized by the respondent police, and since the petitioner has been in judicial custody from 13.10.2026, his further custodial interrogation is not required. He added that the petitioner is ready to cooperate with the investigation and abide by any stringent conditions imposed by this Court.

4.Per contra, the learned Government Advocate (Puducherry) appearing for the respondent police opposed the grant of bail on the ground that the petitioner has three previous cases, out of which one case is similar in nature.

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

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6.Considering the submissions made by the learned counsel on both sides and taking into account the period of incarceration, 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 defence and contentions, on instructions, is ready and willing to deposit an amount of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only) as a non-refundable deposit to any welfare scheme of the Government or any other organisation.

8.Accordingly, the petitioner is directed to deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand 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.VII, Puducherry,** and on further conditions that:

[a] the sureties shall affix his photographs and Left Thumb Impression in the Application for Surety ship

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[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 his 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 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];**

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

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Index: Yes/No
Neutral Citation: Yes/No
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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.VII, Puducherry.

2.The Station House Officer,
Bahour Police Station,
Puducherry.

3.The Central Prison, Pondicherry.

4.The Public Prosecutor,
High Court of Madras.

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N.RAMESH, J.

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