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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. 30961 of 2026

CNR: {HCMA012565442026}

1. Zahir Khan Teli,
   S/o.Sabuddin Teli,
   Gulashan Nagar,
   Hindaum, Karauli Taluk & District,
   Rajasthan.

2. Kishan Kumar Prajapat,
   S/o.Babulal Prajapat,
   Nil Garhkhera,
   Nathori, Nathori Taluk,
   Rajasthan.

..Petitioner(s)

Vs

The State Rep by,
The Inspector of Police
Latheri Police Station,
Vellore District.
Crime No.118 of 2026

..Respondent(s)

PRAYER: Criminal Original Petition filed under section 483 of BNSS Act, praying to enlarge the petitioner on bail in Crime No.118 of 2026 pending on the file of the Respondent Police.

For Petitioner(s): Mr.D.Thirumoorthy

For Respondent(s): Mrs.R.S.Indira,
Additional Public Prosecutor

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ORDER

The petitioners, who were arrested and remanded to judicial custody on 27.09.2026 for the alleged offences under Section 123 of the BNS, and Sections 20(2) and 7(5) of the Cigarettes and Other Tobacco Products Act, 2003, in Crime No.118 of 2026 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners were found in illegal possession of banned tobacco products, namely Vimal Pan Masala, including 50 packets of V-1 Tobacco (each weighing 20 grams), weighing 5 kg in total and valued at Rs.7,500/-. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in this case. He further submitted that the contraband involved has already been seized by the respondent police, and since the petitioners have been in judicial custody since 27.09.2026, their further custodial interrogation is not required. He added that the petitioners are ready to cooperate with the court proceedings and abide by any stringent conditions imposed by this Court.

4.The learned Additional Public Prosecutor appearing for the respondent State opposed the grant of bail, while submitting that the petitioners have no previous cases.

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5.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police, and perused the materials available on record.

6.Considering the facts and circumstances of the case, the quantity of the contraband involved, the period of incarceration undergone by the petitioners from 27.09.2026, and the fact that the petitioners have no previous cases, this Court is inclined to grant regular bail to the petitioners, subject to strict conditions to ensure their presence during investigation and trial.

7.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties,** for a like sum to the satisfaction of the **learned Judicial Magistrate, Katpadi,** and on further conditions that:

> [a] the sureties shall affix his 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

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

[d] the petitioners 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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
Speaking/Non-speaking order
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, Katpadi.

2.The Inspector of Police
Latheri Police Station,
Vellore District.

3.The Central Jail, Vellore.

4.The Public Prosecutor,
High Court of Madras.

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N.RAMESH, J.

CDA

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