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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2026

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THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.31382 of 2026

CNR: {HCMA012580472026}

Rajaram ..Petitioner

Vs

The State Rep by The Inspector of Police,
Singanallur Police Station,
Coimbatore District.
Crime No.477 of 2026. ..Respondent

PRAYER: To enlarge the petitioner on bail in connection with the case in Crime No.477 of 2026 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Udayakumar

For Respondent : Mr.M.M.I.Khaleel,
Government Advocate (Crl.side).

ORDER

The petitioner, who was arrested and remanded to judicial custody on **11.10.2026** for the alleged offences punishable under **Section 6(a) r/w Section 24(1) of the Cigarettes and Other Tobacco Products Act (COTPA), 2003, and Section 123 of the Bharatiya Nyaya Sanhita (BNS), 2023** in Crime No.477 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on the day of the incident, the petitioner was found in possession of 22.558 kgs of banned tobacco products kept inside white gunny bags. Hence the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the contraband seized does not fall under the category of commercial psychotropic substances, and the offenses alleged are predominantly regulatory under the COTPA Act. Considering the period of continuous incarceration undergone by the petitioner from 11.10.2026, he prays for the grant of bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposes the grant of bail, pointing out the substantial quantity of banned tobacco products recovered from the possession of the petitioner. He, however, concedes that a major portion of the investigation is completed and the petitioner has no previous history of similar offenses.

5. Heard both sides and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, the nature of the offences alleged under the regulatory statutes, and the fact that a substantial

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portion of the investigation has already been carried out, this Court finds that further custodial interrogation is not necessary. Considering the period of judicial custody already undergone by the petitioner since 11.10.2026, this Court is inclined to grant bail to the petitioner.

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, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court No.3, Coimbatore,** 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 his identity;

[b] the petitioner shall appear 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, and shall not maintain any contact with the witnesses to the occurrence, the officials dealing with the case, or any other person who might be connected to the occurrence;

[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

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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.

29.10.2026

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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.

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To

1. The Judicial Magistrate Court No.3, Coimbatore.

2. The Superintendent, Central Prison, Coimbatore.

3. The Inspector of Police, Singanallur Police Station, Coimbatore District.

4. The Public Prosecutor,
High Court of Madras.

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