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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 31987 of 2026

CNR: {HCMA012632202026}

Murugesan
S/o Mannar,
No.5601, Okkiyam Thuraipakkam,
Kannagi Nagar,
Chennai-600 097.

Case QR

..Petitioner(s)

Vs

The State, Represented By,
The Inspector of Police
R-7, K.K. Nagar Police Station,
Chennai.
Crime NO. 466 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the bail in Crime NO. 466 of 2026 on the file of the R-7, K.K. Nagar Police Station, Chennai for the alleged offences under Section 24(1) of the COTP Act, 2003, r/w section 123 of the BNS, 2023.

For Petitioner(s): Mr.AGD Balakumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.10.2026 for the alleged offence under Sections 24(1) of the COTP Act, 2003,

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read with Section 123 of BNS, in Crime No.466 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was allegedly found in possession of 12 kilograms of prohibited tobacco products, specifically 'Hans'. Hence, the registration of the present case.

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 would further submit 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 opposed the grant of bail on the ground that the petitioner has no previous cases pending against him. Hence, he oppose 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 facts and circumstances of the case, the nature of the

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allegations, the period of incarceration of the petitioner already undergone by the petitioner and that the petitioner has no previous cases, this Court is of the firm view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on bail on certain conditions.

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 to the satisfaction of the **learned Metropolitan Magistrate, Saidapet,** and on further conditions that:

[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 accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned

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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.

04-11-2026

DRL

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 Metropolitan Magistrate, Saidapet.

2.The Inspector of Police
R-7, K.K. Nagar Police Station,
Chennai.

3.The Superintendent,
Sub Jail, Saidapet.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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