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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. 32175 of 2026

CNR: {HCMA012634002026}

Sivachandiran

Case QR

..Petitioner(s)

Vs

The State rep. by, The Inspector of Police
Cheyyar Police Station,
Tiruvannamalai District.
Crime No.376 of 2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the Petitioner on bail pending investigation in Cr.No.376 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.V.R.Appaswamee

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.10.2026 for the alleged offence under Sections 123 & 275 of BNS, 2023 read with Section 24(1) of the COTPA Act, 2003, in Crime No.376 of 2026 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner was allegedly found in possession of 10.33 kilograms of prohibited tobacco products. 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 quantity involved in this case, the nature of the allegations levelled against the petitioner, the period of incarceration already undergone by him, and taking note of the fact that he has no previous cases pending against him, this Court is inclined to grant bail to the petitioner, subject

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to 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 Judicial Magistrate Court, Cheyyar,** 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 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];**

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

04-11-2026

MPA

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 Court, Cheyyar.

2.The Inspector of Police
Cheyyar Police Station,
Tiruvannamalai District.

3.The Superintendent,
Central Prison, Vellore.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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