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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL.O.P.No.32432 of 2026

CNR: {HCMA012640822026}

Chitharthan ..Petitioner

Vs

The State Rep. by its, The Inspector of Police,
Palladam Police Station, Tiruppur District.
Cr.No.1065 of 2026.

..Respondent

PRAYER: To enlarge the petitioner on bail by allowing this bail petition in Cr.No.112 of 2026 on the file of the Respondent Police.

For Petitioner : Mr.Deepanuday

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

ORDER

The petitioner was arrested and has been in judicial custody since 11.10.2026 in connection with Crime No.1065 of 2026 for offenses punishable under Sections 123 and 275 of the Bharatiya Nyaya Sanhita (BNS), 2023, and Section 20(2) of the Cigarettes and Other Tobacco Products Act (COTPA).

2. The gist of the allegation is that the petitioner was found in unlawful possession of banned tobacco products comprising 69.260 kg of Hans, 12.200 kg of Ganesh, and 21.300 kg of Cool Lip tobacco products, totaling an aggregate weight of 102.760 kg.

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3. The learned counsel for the petitioner submits that the petitioner has been in continuous incarceration since 11.10.2026, the substantial part of the investigation is completed, and the petitioner is willing to abide by any stringent conditions imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail on the ground that there are two previous cases pending against the petitioner in Crime No.529 of 2019 and Crime No.128 of 2024.

5. Considering the facts and circumstances of the case, the period of judicial custody undergone by the petitioner from 11.10.2026, and the stage of the investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees One Lakh 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 Court, Palladam,** and on further conditions that:

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[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 report before the respondent police daily at 10:30 A.M. until further orders;

[c] **if any further case of similar nature is registered against the petitioner, the bail granted herein shall stand automatically cancelled without any further reference to this Court.**

[d] the petitioner shall not abscond either during investigation or trial;

[e] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[f] 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];**

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

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N.RAMESH, J.

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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 Court, Palladam.

2. The Superintendent of Police,
Tiruppur District Jail.

3. The Inspector of Police,
Palladam Police Station,
Tiruppur District.

4. The Public Prosecutor,
High Court of Madras.

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