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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.32320 of 2026

CNR: {HCMA012652712026}

Koteeswaran ..Petitioner

Vs

The State of Tamil Nadu,
Represented by Inspector of Police,
P-5, MKB Nagar Police Station, Chennai.
Crime No.459 of 2026.

..Respondent

PRAYER: To enlarge the petitioner/Accused on Bail, pending investigation in Crime No.459 of 2026 on the file of the Respondent.

For Petitioner : Mr.Charles Kamalesh M.Appaji
For Respondent : Mr.M.M.I.Khaleel,
Government Advocate (Crl.side).

ORDER

The petitioner was arrested and has been in judicial custody since 19.10.2026 in connection with Crime No.459 of 2026 for offences punishable under Section 24(1) of the Cigarettes and Other Tobacco Products Act (COTPA) and Sections 123, 274 and 275 of the Bharatiya Nyaya Sanhita (BNS), 2023.

2. The gist of the allegation is that the petitioner was found in unlawful possession of a plastic bag containing 16 packets of banned tobacco product

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'Mava', each weighing 15 grams, totaling an aggregate weight of 230 grams. Hence, the case.

3. The learned counsel for the petitioner submitted that the quantity alleged to have been recovered is minimal, totaling only 230 grams. It is further submitted that the petitioner has been in continuous incarceration since 19.10.2026 and is willing to abide by any stringent conditions imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that there are five previous cases pending against the petitioner.

5. Taking into consideration the period of incarceration and the fact that the quantity of contraband seized is small, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **X Metropolitan Magistrate, Egmore, Chennai,** 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] 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];**

[f] 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 X Metropolitan Magistrate, Egmore, Chennai.

2. The Superintendent,
Central Prison,
Puzhal.

3. The Inspector of Police,
P-5 MKB Nagar Police Station,
Chennai.

4. The Public Prosecutor, High Court of Madras.

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