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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32661 of 2026

CNR: {HCMA012674212026}

Case QR

Murugesan
S/o.Singaravelu,
No.1/165, Middle Street,
Perali Village,
Kunnam Taluk,
Perambalur District.

..Petitioner(s)

Vs

The State rep by the Sub Inspector of Police
Maruvathur Police Station,
Perambalur District.
Crime No.254/2026.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/Accused No.1 on bail in Crime No.254 of 2026 on the file of the respondent police, on such terms and conditions as this Hon'ble Court may deem fit and proper.

For Petitioner(s): Mr.B.Mahendra Naidu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.10.2026 for the alleged offences under Section 24(1) of Cigarettes and other Tobacco Products (COTP) Act, 2003 r/w 77 of Juvenile Justice Act 2015 and

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123 of BNS, 2023 in Crime No.254 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 170 bundles of Hans, 125 packets of Vimal Paku and 125 packets of VI, all of which are banned tobacco products, worth a total sum of Rs.99,750/-. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case due to previous cases pending against him. He further submitted that the petitioner has been in judicial custody since 25.10.2026 and that the petitioner is ready to cooperate with the investigation. The learned counsel would further contend that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner was found in possession of banned tobacco products and that four previous cases, similar nature are pending against him. He further submitted that the petitioner is a habitual offender. However, he opposed to grant bail to the petitioner.

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5. I have given anxious consideration to the submissions made by the learned counsel on either side.

6. Considering the submissions made by the learned counsel on both sides and the nature of the allegations, this Court is of the view that though four previous cases are pending against the petitioner, taking into account the period of incarceration already undergone by him since 25.10.2026, this Court is inclined to enlarge the petitioner on bail, subject 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** each for a like sum to the satisfaction of the **learned Judicial Magistrate No. II, Perambalur,** 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;

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[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in acc 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.

10-11-2026

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 Judicial Magistrate No.II,
Perambalur.

2. The Sub Inspector of Police
Maruvathur Police Station,
Perambalur District.

3.The Superintendent,
Sub Jail, Perambalur.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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