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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 32913 of 2026

CNR: {HCMA012696182026}

Kesavan Neelameham
S/O.V.Neelameham,
Door.No. 05 243, Apt. BLK 909,
Jurong West Street 91,
Singapore.
Presently in Judicial Custody at
Central Prison, Puzhal.

Case QR

..Petitioner(s)

Vs

The Superintendent of Customs
Air Intelligence Unit,
International Airport,
Coimbatore 641 014.

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner accused on bail in connection with O.R. NO 12/2026 27, AIU, CJB on the file of the Superintendent of Customs, Air Intelligence unit, Coimbatore Internation Airport on Such Terms and conditions as this honble court may deem fit.

For Petitioner(s): Mr.R.C.Paul Kanagaraj for
Mr.V.Karthick

For Respondent(s): Mr.K.Purushothaman
Special Public Prosecutor Customs/GST
Directorate of Revenue Intelligence (DRI)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.09.2026 for the alleged offence under Sections 132, 135(1)(a) and 135(1)(b)

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of the Customs Act 1962, in OR No. 12 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, a Singapore citizen, was intercepted at Coimbatore International Airport on 20.09.2026, and two gold chains weighing 835 grams, valued at Rs.1,31,93,000/-, were allegedly recovered from his possession without declaration. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has been falsely implicated in this case, and has not committed any offence as alleged by the prosecution. He further submitted that the entire quantity of 835 grams of gold has already been seized by the Customs authorities and therefore, no further recovery is required from the petitioner. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court, and hence, prayed for the grant of bail.

4. Per contra, the learned Special Public Prosecutor appearing for the Respondent Police reiterated the prosecution case and submitted that the petitioner was intercepted at the airport while attempting to bring 835 grams of gold chains, valued at Rs.1,31,93,000/-, without declaring the same before the Customs authorities. He further submitted that the petitioner had failed to produce valid documents for the lawful importation of the gold and that the

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nature and value of the gold seized disclose the seriousness of the offence. Hence, he opposed 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. It is a case of alleged smuggling of gold worth Rs.1,31,93,000/- by a foreign national through the Green Channel. According to the prosecution, on 20.09.2026, the petitioner arrived at Coimbatore from Singapore and was intercepted at the Green Channel, during which two gold chains weighing 835 grams, valued at Rs.1,31,93,000/- were recovered from his possession. The petitioner was arrested on 21.09.2026 and has been in judicial custody since then. The gold has already been seized. The learned counsel for the respondent submitted that the petitioner's passport has already been seized. Considering the period of incarceration of the petitioner already undergone by the petitioner, nature of the allegations and the fact that his passport has already been seized, this Court is inclined to grant bail to the petitioner 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 Chief Judicial Magistrate, Coimbatore,** and on further conditions that:

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[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., for a period of 30 days and thereafter as and when required for interrogation;

[c] the petitioner shall furnish his residential address and contact mobile number to the Investigating Officer and he shall not leave India without prior permission of the Jurisdictional 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.

12-11-2026

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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 Chief Judicial Magistrate,
Coimbatore.

2. The Superintendent of Customs
Air Intelligence Unit,
International Airport,
Coimbatore 641 014.

3.The Superintendent, Central Prison,
Puzhal -II.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

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CRL OP No. 32913 of 2026

12-11-2026

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