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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34247 of 2026

CNR: {HCMA012732652026}

Muthu Kumar
S/o Soundharapandiyan,
1/299, Trichy Road,
Kodangipalayam,
Palladam, Tirpppur.

Case QR

..Petitioner(s)

Vs

State Represented By, The Inspector of Police
Palladam Police Station,
Tiruppur District.
Crime NO. 1063/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime NO.1063 of 2026 on the file of the Respondent Police.

For Petitioner(s): Mr.M.Akash

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.10.2026 for the alleged offences punishable under Sections 123 and 275 of BNS r/w Section 20(2) of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 in Crime No.1063 of 2026 on

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the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found to be in illegal possession of 50.800 kgs of banned tobacco products. Hence, this case.

3. The learned counsel for the petitioners submitted that the petitioner has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He also further submitted that the petitioner is in custody since 11.10.2026 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the case of the prosecution and, on instructions, submitted that the petitioner was found in possession of banned tobacco products. He further submitted that there are six previous cases are pending against the petitioner. Hence, he opposed to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case; taking note of the

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submission made by the learned Government Advocate (Crl.Side); though the petitioner has six previous cases, however considering the period of incarceration already undergone by the petitioner since 11.10.2026, this Court is inclined to grant bail to the petitioner subject to certain conditions

7. Accordingly, **the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** by way of Demand Draft to the **Arginar 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, 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, Palladam,** 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

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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.

20-11-2026

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, Palladam.

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

3.The Superintendent,
Sub Jail, Palladam.

4. The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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