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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34905 of 2026

CNR: {HCMA012804852026}

Vablu Sahani
S/o Yogendra Sahani,
121, Yesunadhar Kovil Street,
Thathanur, Kundrathur Taluk,
Kancheepuram District.

Case QR

..Petitioner(s)

Vs

The State of Tamil Nadu rep by The Inspector of Police
Sriperumbudur Police Station,
Kancheepuram District.
Crime No. 695/2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/accused on bail in crime No. 695/2026 pending on the file of the Respondent Police, and pass such further or other orders as this Honorable Court.

For Petitioner(s): S.Sathish Kumar
For Respondent(s): Mr.M.M.I.Khaleel, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.11.2026 for the alleged offences punishable under Sections 274, 275 and 123 of the BNS, 2023, and Sections 6 and 24(1) of the Cigarettes and Other Tobacco Products Act, 2003, in Crime No.695 of 2026 on the file of the respondent

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police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 4.2 kgs of banned tobacco products. Hence, the present case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent, has been falsely implicated in the present case, and has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in judicial custody since 10.11.2026 and is ready to abide by any stringent conditions that may be imposed by this Court. Therefore, he prayed for the grant of bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of bail. Upon instructions, he reiterated the prosecution case and submitted that the petitioner has two previous cases pending against him, out of which one is under the COTPA, and hence prayed for dismissal of the petition.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

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6. Considering the relatively small quantity of contraband involved in this case, the nature of the allegations, and the period of incarceration already undergone by the petitioner from 10.11.2026, this Court is inclined to grant bail to the petitioner subject to certain conditions, despite the fact that he has two previous cases pending against him.

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**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Sriperumbudur,** 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;

[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

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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.

26-11-2026

MPA

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.

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To

1.The Judicial Magistrate, Sriperumbudur.

2. The Inspector of Police
Sriperumbudur Police Station,
Kancheepuram District.
Crime No. 695/2026

3.The Superintendent, Central Prison,
Puzhal.

4.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

MPA

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