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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 34654 of 2026

CNR: {HCMA012820072026}

1. Kalidoss
   S/o Rathinam,
   No.Pillaiyar Kovil Veethi, Thottathupalayam,
   Lakshmi Nagar, 5th Street North,
   Tiruppur.

Case QR

2. Manokaran
   S/o Mani,
   No.4/8 B, Narenthal, Kodipangu,
   Ramanathapuram.

3. Bashkar
   S/o Kumar,
   No.159 ECR Main Road,
   Narenthal, Kodipangu Thondi,
   Thiruvadanai Tk,
   Ramanthapuram.

4. Manikandan
   S/o bhaskar,
   No.1/68, Pasipattinam, Kaliyaagari,
   Thiruvadanai TK,
   Ramanathapuram.

5. Sakthi
   S/o Ananthan,
   No.1/68, Pasipattinam, Kaliyaagari,
   Thiruvadanai TK,
   Ramanathapuram.

..Petitioner(s)

Vs

State Represented by Inspector of Police,
Anupparpalayam Police Station,
Tiruppur City.
Cr.No. 541 of 2026.

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..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in connection with the Crime No. 541 of 2026 on the file of the Respondent police and pass such order or further order as this Honble court may deem fit and proper in the circumstances of th ecase and thus render Justice.

For Petitioner(s): Mr.D.Padmanabhan

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 28.10.2026 for the alleged offences under Section 123 of BNS Act and 24(1) of the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA), in Crime No.541 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioners was alleged to found in possession of 1069 kgs of banned tobacco products. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in the present case and that they not committed any offence as alleged by the prosecution. He would further submit

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that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioners.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and opposed the grant of bail on the ground that the petitioners have no previous cases, pending against them. Hence, he oppose the grant of bail to the petitioners.

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

6. It is a case of sale of banned tobacco products. A1 and A2 were detained under the Preventive Detention Act. A3, A6, A10 have already been released on bail. The petitioners are arrayed as A4, A5, A7, A8 and A9. According to the prosecution, on 28.10.2026, the accused sold HANS tobacco products in contravention of the law, and 1069 kgs of banned tobacco products were seized. The petitioners were arrested on 28.10.2026 and have been in judicial custody since then.

The learned counsel for the petitioners submitted that without prejudice to their defense and contentions, on instructions, the petitioners are ready and willing to deposit an amount of Rs.1,00,000/- (Rupees One Lakh Only) (Rs.20,000/- by each petitioner) as a non-refundable deposit to any welfare scheme of the

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Government or any other organization.

Considering the above facts and circumstances, the fact that the co-accused have already been released on bail and the period of incarceration already undergone by the petitioners, this Court is inclined to enlarge the petitioners on bail.

7. Accordingly, the petitioners are directed to deposit a sum of **Rs.1,00,000/-(Rupees One Lakh only) (Rs.20,000/- by each petitioner)** as a non-refundable deposit by way of Demand Draft to the **Arignar 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 and production of proof, the petitioners are ordered to be released on bail on their executing a separate 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.III, Tiruppur,** 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;**

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[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners 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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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.

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To

1.The Judicial Magistrate No.III,
Tiruppur.

2. The Inspector of Police,
Anupparpalayam Police Station,
Tiruppur City.

3.The Superintendent, Central Prison,
Coimbatore.

4.The Superintendent,
District Prison, Tiruppur.

5.The Public Prosecutor,
High Court, Madras.

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N.RAMESH, J.

DRL

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