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CRL OP No. 28021 of 2



Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.RAMESH

CRL OP No. 28021 of 2026



CNR: {HCMA012273722026}

Arivazhagan
S/o.Ramalingam,
No.4/620, Maariyamman Koil Street,
Mayilankuppam,
Sendamangalam,
Ulundurpettai,
Villupuram District.

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Thirunavalur Police Station,
Kallakurichi District.
Crime No.329 of 2026.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, To enlarge the petitioner on bail in Cr.No.329
of 2026 on the file of the Inspector of Police, Thiruvallur Police Station,
Kallakurichi.

For Petitioner(s):

M/s. R.Parthiban

For Respondent(s):

Mr.M.M.I.Khaleel,
Govt.Advocate (Crl.Side)



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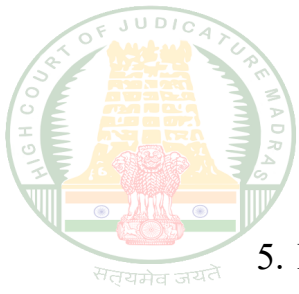
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The petitioner, who was arrested and remanded to judicial custody on 21.08.2026 for the alleged offence under Sections 123 of BNS, 2023 r/w 24(1) of COTPA Act in Crime No.329 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the petitioner along with other accused was alleged to found in possession of 366 kgs of banned tobacco products. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner is in judicial custody since 21.08.2026; and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and sought for bail to the petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case, the petitioner illegally transported the 366 kgs of banned tobacco products, the petitioner is having two previous cases. Hence, he opposed to grant bail to the petitioner.

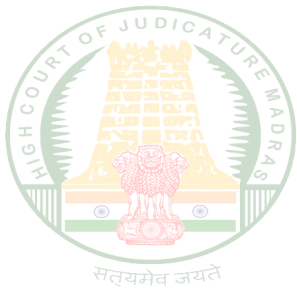


5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. Considering the facts and circumstances of the case and also the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, **the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as a non-refundable deposit by way of Demand Draft to the Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram, and on such deposit and production of proof, 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 No.II, Ulundurpettai, 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;



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[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 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.

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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.

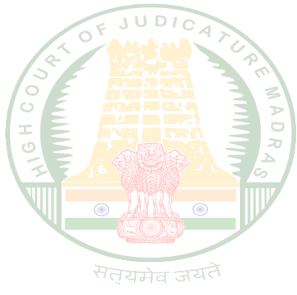
To

1.The Judicial Magistrate No.II,
Ulundurpettai.

2.The Inspector of Police
Thirunavalur Police Station,
Kallakurichi District.

3.The Superintendent of Prison,
Sub Jail, Kallakurichi.

4.The Public Prosecutor,
High Court, Madras.



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N.RAMESH, J.

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