



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 20.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20071 of 2024

Manikandan,  
S/o.Darmaraj

... Petitioner/ Sole Accused

Vs

State of Tamil Nadu,  
Rep By,  
The Inspector of Police,  
Maruvur Police Station,  
Thanjavur District.  
Crime No.237/2024.

... Respondent / Complainant

For Petitioner : Mr.S.Gurumoorthy,  
Advocate.

For Respondent : Mr.S.Ravi,  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.237/2024 on the file of the respondent Police.



**ORDER :** The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 29.10.2024 for the alleged offence under Sections 123 and 275 of BNS, 2023 r/w. Section 20(1) of Cigarettes and Other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Production of Children) Act, 2015, in Crime No.237 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is found to be in possession of illegal tobacco products with a quantity of 7.250 Kgs. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner has suffered incarceration from 29.10.2024 and the entire banned tobacco products have been seized from the petitioner and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru, and on further conditions that:-



[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book 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 tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-  
20/11/2024

/ TRUE COPY /

/ /2024

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



WEB COPY

- pal
- TO
- 1.The Judicial Magistrate,  
Thiruvaiyaru.
  - 2.Do Through  
The Chief Judicial Magistrate,  
Thanjavur District.
  - 3.The Officer-in-Charge,  
Central Prison,  
Thanjavur.
  - 4.The Inspector of Police,  
Maruvur Police Station,  
Thanjavur District.
  - 5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

ORDER IN  
**CRL OP(MD) No.20071 of 2024**  
**Date: 20.11.2024**

KVL/20.11.2024 4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023