



CRL OP(MD). No.21368 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH
CRL OP(MD). No.21368 of 2024

Rathinasamy

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.
(In Crime No.349/2024.)

... Respondent/Complainant

For Petitioner : Mr.C.Saravanakumar, Advocate
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 349 of 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 09.10.2024 for the offences under Section 123 BNS and 24(1) CAOTP Act, 2003 in Crime No.349 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 83 kgs of banned tobacco products.



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3.The earlier applications filed by the petitioner in Crl.O.P(MD) No.18077 of 2024 and 19433 of 2024 were dismissed by this Court by order, dated 22.10.2024 and 11.11.2024.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

5.When the matter was taken up for hearing the learned Additional Public Prosecutor submitted that final report is yet to be filed in this case.

6.In the light of the above submission, it is clear that the petitioner will be entitled for statutory bail in this case. In view of the same, this Court is inclined to grant bail to the petitioner with certain conditions:

7. Accordingly, the criminal original petition is ordered and the petitioner is ordered to be released on bail on 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, Tenkasi, 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 every



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Monday and Friday at 10.30 a.m., for a period of four weeks, thereafter, as
and when required for interrogation;

[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 Act.

sd/-
16/12/2024

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16/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM



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To

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1.The Judicial Magistrate,
Tenkasi.

2.Do through the Chief Judicial Magistrate,
Tenkasi District.

3.The Inspector of Police,
Pavoorchathiram Police Station,
Tenkasi District.

4.The Superintendent,
Central Prison, Palayamkottai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.21368 of 2024

Date :16/12/2024

ED/ /SAR- (16/12/2024) 4P / 6 C

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