



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.6976 of 2025

M.Susai Manickam

...Petitioner/Accused 2

Vs.

State rep by
The Inspector of Police,
Mangalam Police Station,
Tiruppur District.

(Crime No.98 of 2025)

... Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.98 of 2025 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Jayaprakash

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 16.02.2025, seeking bail



in Crime No.98 of 2025 registered for the offence under Sections 123, 2, and 275 of BNS, 2023 r/w Sections 7(1) and 20(2) of COTPA, 2003.

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2.It is the case of the prosecution that based on a secret information, the respondent and their officials intercepted a vehicle bearing Registration No.TN-07-AV-5061 and found A1 in possession of 24 kgs of banned tobacco products; that on his confession, the petitioner/A2 was arrested; that on further enquiry reveals that the petitioner is the seller of the contraband. Hence, the case.

3.The learned counsel for the petitioner would submit that the allegations are false and the petitioner is sought to be implicated on the confession of A1 and no recovery was made from the petitioner; that the contraband has been seized and the petitioner is in custody from 16.02.2025 and that in any case, considering the period of incarceration, he may be released on bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the contraband has been seized and



there are two previous cases pending against the petitioner and he is on bail in those previous cases.

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5.Heard the learned counsel on either side and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration and the fact that the contraband was seized, the petitioner is sought to be implicated on the confession of A1 and he is on bail in all the previous cases and since further custody of the petitioner is not required, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate No.IV, Tiruppur**, 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,
everyday at 10.30 a.m., until further orders;

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

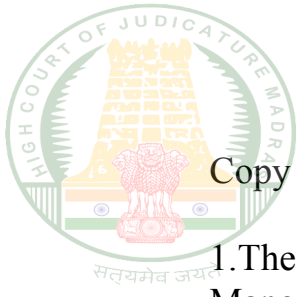
[d] the petitioner shall not tamper with evidence or witness either
during investigation or trial;

[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 B.N.S.

11.03.2025

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Copy to:

1. The Inspector of Police,
Mangalam Police Station,
Tiruppur District.

2. The Judicial Magistrate No.IV, Tiruppur.

3. District Jail, Tiruppur.

4. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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