



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 32384 of 2025

Muniyammal

... Petitioner

Vs.

The State represented by
S.H.O. Kallukurichi Police Station
Crime No. 701 of 2025.

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No. 701
of 2025 on the file of respondent police.

For Petitioner : Ms.M.Girija

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on



10.11.2025, for the offences punishable under Section 123 of BNS r/w

Section 24(1) of COTPA Act, in Crime No. 701 of 2025 registered on the file

respondent police, seeks bail.

2. The allegation against the petitioner is that the petitioner was in possession of 10.800 kgs of banned tobacco products for sale in her petty shop and the same was seized from her petty shop. The respondent police arrested her. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has no previous case. He further submitted that the petitioner is in judicial custody from 10.11.2025. He further submitted that the petitioner is ready to abide any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that a total of weighing 10.800 kgs banned tobacco products have been recovered from the petitioner. He further submitted that the petitioner has no previous case. He further submitted that investigation is on. However, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, that the period of incarceration undergone by the petitioner; that the petitioner has no previous antecedents; that the investigation is underway; that the banned tobacco products had been recovered; this Court is inclined to grant bail to the petitioner with certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Principal District and Sessions Judge, Kallakurichi**, 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 petitioner shall report before the respondent police station everyday at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;



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[c] 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];

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

26-11-2025

MSM

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To
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- 1.The Principal District and Sessions Judge, Kallakurichi.
- 2.The Villupuram Prison, Villupuram
- 3.The Public Prosecutor
High Court of Madras.
- 4.The S.H.O.
Kallukurichi Police Station
Crime No. 701 of 2025.



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K.RAJASEKAR J.

MSM

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