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Crl.OP.No.34158 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2025

CORAM

THE HONOURABLE JUSTICE **K.RAJASEKAR**

Crl.O.P.No.34158 of 2025

Meganathan

... Petitioner

Vs.

State Rep by
The Station House Officer,
Manalurpet Police Station,
Kallakurichi District.
(Cr.No.321 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in
Cr.No.321 of 2025 on the file of the respondent Police Station.

For Petitioner : Mr.A.Sathishkumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
05.11.2025 for the alleged offence under Sections 123 of BNS 2023 r/w.
24(1) of Cigarette and Other Tobacco Products Act 2003 in Crime No.321 of
2025 on the file of the respondent police, seeks bail.



2. The allegation against the petitioner is that the petitioner joined hands with other accused involved in illegal possession and transportation of Hans @ Gutka 11 gunny bags 550 packet, Vimal-2 gunny bags 100 packet, V1 Tobacco-2 gunny bags 100 packet, Cool Lip-57 packet, total weighing 179.795 kgs of banned tobacco products from Karnataka to Tamil Nadu. While the respondent police party conducting regular patrol, caught red-handed the petitioner and recovered the banned tobacco products from them.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody from 05.11.2025. He further submitted that the co-accused already granted bail by this Court in CrI.O.P.No.34007 & 34003 of 2025 dated 11.12.2025. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is ranked as A1 and he is distributing the contraband to the petty shop and he has no previous case. However, he opposed to grant bail to the petitioner.



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

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6. Considering the fact that the quantity involved in this case; the petitioner is not having any previous case and that the co-accused already granted bail by this Court in Crl.O.P.No.34007 & 34003 of 2025 dated 11.12.2025, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

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, each for a like sum to the satisfaction of the *learned Judicial Magistrate, Thirukoilur*, 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., for a period of four weeks and thereafter, as and when required for interrogation.



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[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 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.

15.12.2025

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Note:

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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, Thirukoilur.
2. The Station House Officer,
Manalurpet Police Station,
Kallakurichi District.
3. The Officer Incharge, Sub Jail, Thirukoilur.
4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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