



CRL OP(MD). No.1735 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Rajasekar,
S/o.Seenivasagan,
2/122, South Street,
Vetrilaiyoorani,
Sivakasi Taluk,
Virudhunagar District..

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Sub Inspector of Police,
Vembakkottai Police Station,
Virudhunagar District.
Crime No.13/2025..

... Respondent/Complainant

For Petitioner : Mr.Lakshmi Gopinathan,
Advocate for
M/S.Polax Legal Solutions,
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER:-

For Bail in Crime no.13 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 11.01.2025 for offences under Section 123 of BNS r/w Sections 6(b) and 24(1) of Cigarettes and Other Tobacco Products Act in Crime No.13 of 2025, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the accused person was found in possession of 58 kgs of banned tobacco products.

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 11.01.2025 and the entire banned tobacco products have been seized and there is no previous similar offence against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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5. 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 No.II, Sattur 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 on every Friday at 10.30 a.m. for a period of six weeks and 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]**.



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

sd/-
29/01/2025

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29/01/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.II
SATTUR

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR.

4 THE SUB INSPECTOR OF POLICE,
VEMBAKKOTTAI POLICE STATION,
VIRUDHUNAGAR DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M/S.POLAX LEGAL SOLUTIONS, Advocate (SR-1014[I] dated
29/01/2025)

<https://www.mhc.tn.gov.in/judis>



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ORDER
IN
CRL OP(MD) No.1735 of 2025
Date :29/01/2025

SS/SAR- /29/01/2025/ 5P/7C

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