



CRL OP(MD). No.2526 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Gnanasundari

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Keeranur Police Station,
Dindigul District.
Crime No. 25/2025.

... Respondent/Complainant

For Petitioner	:	Mr.M.Vivek Bharathi
For Respondent	:	Mr.K.Sanjai Gandhi, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.25 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 06.02.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/sole accused was arrested and remanded to judicial custody

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



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on 23.01.2025 for the alleged offences punishable under Sections 112 and 123 of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 6(a) and 24(1) of Cigarette and Other Tobacco Products Act, 2003 and Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Section 4(1)(C) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.25 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 23.01.2025, at 15:00 hours, upon receiving secret information, the respondent-police went to the house of the petitioner, near Aathimarathuvalasu Bus Stop. Upon seeing the police, the petitioner tried to escape, but the police surrounded her and found that the petitioner had illegally possessed 32.666 kgs of banned tobacco and gutka products, along with 27 bottles of 180 ml Monitor bottles in her house, for retail sale to school-going students and youngsters. Hence the case.

4. Mr.M.Vivek Bharathi, the learned counsel appearing for the petitioner, submits that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that the petitioner has been in judicial custody since 23.01.2025 and she has no previous case. He therefore prays to grant bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Crl.Side) appearing for the respondent-police, submits that the petitioner illegally possessed



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32.666 Kgs of banned tobacco and gutka products and 27 bottles of 18 ml Monitor
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bottles in her house for retail sale to school-going students and youngsters.
Accordingly, he prays to dismiss this Criminal Original Petition.

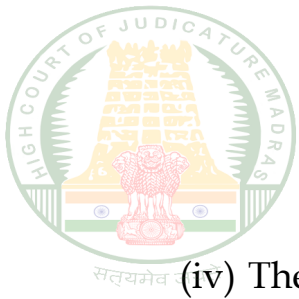
6. Heard on both sides. This Court has perused the records.

7. The petitioner was arrested on 23.01.2025 and she has been in judicial custody. The petitioner is a woman and first offender. The petitioner has no previous case. Considering the facts and circumstances of the case and with a view to give one more opportunity to the petitioner to reform herself, this Court is inclined to grant bail to the petitioner, however, subject to certain conditions. Accordingly, bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate, Palani, Dindigul;

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Palani, Dindigul, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall furnish her residential address and mobile number;



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(iv) The petitioner shall appear and sign before the learned Judicial Magistrate, Palani, Dindigul, on all working days at 10.00 a.m., until further orders;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Palani, Dindigul, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
10/02/2025

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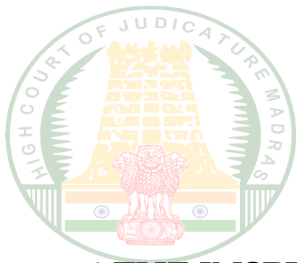
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD
TO

1 THE JUDICIAL MAGISTRATE, PALANI DINDIGUL

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

3 THE OFFICER-IN-CHARGE, NILAKOTTAI WOMENS PRISON, DINDIGUL.



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4 THE INSPECTOR OF POLICE, KEERANUR POLICE STATION,
DINDIGUL DISTRICT.

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

+1. CC to M/S.VIVEK BHARATHI.M Advocate SR.No.8715[F] Dated 10/02/2025

ORDER

IN

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Date :10/02/2025

RS/IT/SAR-(10.02.2025) 5P 7C

Madurai Bench of Madras High Court is issuing
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