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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated : 10.03.2025

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.4431 of 2025

Arunkumar

... Petitioner/Petitioner/ Sole Accused

Vs

State rep. by
The Sub Inspector of Police,
Thiruvankadam Police Station,
Tenkasi District.
(Crime No.37 of 2025)

... Respondent/Respondent/ Complainant

For Petitioner : Mr.R.J.Karthick,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side).

PETITION FOR BAIL Under Section 483 of B.N.S.S.

PRAYER :-

For Bail in Crime No.37 of 2025 on the file of the Respondent police.



ORDER : The Court made the following order :-

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The petitioner/sole accused, who was arrested and remanded to judicial custody on 07.02.2025 for the offences punishable under Sections 123, 132 and 351(3) BNS and Section 24(1) of Cigarette and Other Tobacco Products Acts, 2003, in Crime No.37 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of prohibited tobacco products worth about Rs.13,800/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the alleged tobacco products were not recovered from the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the property has been recovered and that the petitioner is having two previous cases, in which, one case under the IPC offence and the other one under the City Police Act.



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5. Considering the nature of the charges levelled against the petitioner and also the facts that the property has been recovered and that the petitioner is in judicial custody from 07.02.2025, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Sankarankovil.

7. On production of such receipt/acknowledgment, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankovil.

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty (30) days and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with the 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].

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

Sd/-
10/03/2025

/ TRUE COPY /

10/03/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM



TO
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- 1 THE JUDICIAL MAGISTRATE
SANKARANKOVIL.
- 2 DO-THROUGH-THE CHIEF JUDICIAL MAGISTRATE
TENKASI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
THIRUVENKADAM POLICE STATION,
TENKASI DISTRICT.
- 4 THE OFFICER INCHARGE,
SUB JAIL, SANKARANKOVIL.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
GOVERNMENT OF TAMIL NADU,
CMPRF IN IOB,
SECRETARIAT BRANCH,
CHENNAI-9

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-2584[I] dated 10/03/2025)

ORDER IN
CRL OP(MD) No.4431 of 2025
Date :10/03/2025

ES/10.03.2025/5P/8C

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