



CRL OP (MD) No.7378 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23.04.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP (MD) No.7378 of 2025

Periyadurai

... Petitioner/ Accused

Vs.

The State of Tamil Nadu
Rep. by the Inspector of Police,
KV Nallur Police Station,
Tenkasi District.
Crime No.366 of 2025

... Respondent/Complainant

For Petitioner : Mr.M.Prabhu
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Criminal Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.366 of 2025 on the file of the respondent-police.



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ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 21.04.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant bail.

2. The petitioner was arrested and remanded to judicial custody on 08.04.2025 for the alleged offences punishable under Section 123 of Bharatiya Nyaya Sanhita (BNS), 2023 and Section 24(1) of Cigarette and Other Tobacco Products Act, 2003, in Crime No.366 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 05.04.2025, at about 12.00 p.m., when the respondent-police was on patrol duty, they found the accused Veeralakshmi standing in front of her petty shop with white bag. On search, the respondent-police found that she was in illegal possession of 30 packets of Ganesh 701 banned tobacco products (each 15 gms.). On enquiry, she informed that the petitioner supplied the tobacco products through his auto bearing Registration No.TN-76-H-0109. Hence the case.

4. Mr.M.Prabhu, learned counsel appearing for the petitioner, submits that the petitioner did not commit any offence as alleged by the prosecution and that he has been falsely implicated in this case. He further submits that the petitioner has been in judicial custody since 08.04.2025 and is ready to abide by any condition that may



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be imposed by this Court. He therefore prays to grant bail to the petitioner.

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5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner has supplied tobacco products to the accused Veeralakshmi, and the co-accused is absconding. He further submits that the petitioner has no previous case. However, he submits that if the petitioner is enlarged on bail, he will commit similar offence and endanger the health of the public. He therefore prays to dismiss this Criminal Original Petition.

6. Heard on both sides and perused the records.

7. The petitioner was arrested on 08.04.2025 and has been in judicial custody. In view of the offences allegedly committed by the petitioner, this Court is of the opinion that further custody of the petitioner is not necessary for the Investigating Agency. Further, the petitioner has permanent residence and deep roots in the society, and therefore, there is less possibility of absconding. Considering the same and taking note of the fact that the petitioner has no previous case and also considering the period of incarceration and with a view to give an opportunity to the petitioner to reform himself, 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:



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(i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Sankarankoil, Tenkasi District;

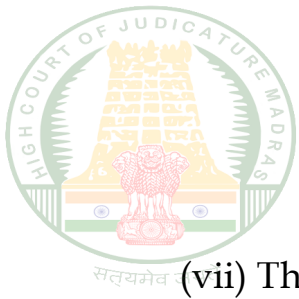
(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Sankarankoil, Tenkasi District shall obtain a copy of any one of identity proofs to ensure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

(iii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Sankarankoil, Tenkasi District;

(iv) The petitioner shall appear and sign before the learned Judicial Magistrate, Sankarankoil, Tenkasi District weekly twice i.e., on every Monday and Friday at 10.30 a.m., until further orders;

(v) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNS, 2023;

(vi) The petitioner shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;



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(vii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Sankarankoil, Tenkasi District 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/-
23/04/2025

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/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To
1 THE JUDICIAL MAGISTRATE,
SANKARANKOVIL, TENKASI DISTRICT.



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2. THE CHIEF JUDICIAL MAGISTRATE
TENKASI DISTRICT.

3. The Inspector of Police,
KV Nallur Police Station,
Tenkasi District.

4. The officer in-charge,
Sub Jail, Sankarankoil.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.7378 of 2025
Date :23/04/2025

MK/SAR /23.04.2025 6P/6C

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