



CRL OP(MD). No.8410 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Chinnappan

... Petitioner / Sole Accused

Vs

The State of Tamilnadu,
Rep.By the Inspector of Police,
Manapparai Police Station,
Trichy District.
(In Crime No. 160 of 2025)

... Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony

For Respondents : Mr.S.S.Manoj
Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For bail in Crime No.160 of 2025 on the file of the respondent-police.



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ORDER : The Court made the following order :-

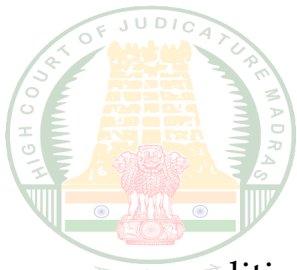
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This Criminal Original Petition has been filed by the petitioner on 05.05.2025 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant bail.

2. The petitioner/ sole accused was arrested and remanded to judicial custody on 17.04.2025 for the alleged offences punishable under Sections 6 and 24(1) of the Cigarette and other Tobacco Products Acts, 2003 r/w. 123 of BNS in Crime No.160 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner was in illegal possession banned Tobacco products of 17.400 kgs of Hans, 1.092 kgs of V1 tobacco and 235 grams of Vimal Pan Masala, totally worth about Rs.16,000/-. Hence, the case.

4. Mr.A.Joel Paul Antony, the learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution and that a false case has been foisted against the petitioner. He further submits that the petitioner has been in judicial custody since 17.04.2025. Further, the petitioner is running a grocery shop. He however submits that the petitioner is ready to abide by



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

5. Mr.S.S.Manoj, learned Government Advocate (Crl. Side) appearing for the respondent-police, submits that the petitioner was in illegal possession of 17.400 kgs of Hans, 1.092 kgs of V1 tobacco and 235 gms of Vimal Pan Masala. He further submits that the respondent-Police seized the banned tobacco products from the petitioner's house herein. Further, he submits that the petitioner has one previous case of similar in nature. 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 17.04.2025 and has been in judicial custody since then. The petitioner is running a grocery shop. He has permanent residence and deep roots in the Society. Hence, there is less possibility of abscond. Considering the nature of the petitioner's avocation and nature of the case registered by the respondent-Police against the petitioner and taking into account of the period of incarceration, this Court is inclined to grant bail to the petitioner, however,



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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.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, Manapparai;
- (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, Manapparai, shall obtain a copy of any one of identity proofs to ensure their identity;
- (iii) The petitioner shall attend in accordance with the conditions of the bond to be executed under Chapter XXXV of BNSS, 2023;
- (iv) 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;
- (v) 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;
- (vi) The petitioner shall furnish his residential address and mobile number to



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the learned Judicial Magistrate, Manapparai;

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(vii) The petitioner shall appear and sign before the respondent-Police daily at 10.30 a.m., until further orders;

(viii) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Manapparai 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/-
08/05/2025

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/05/2025
Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP



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TO
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1. THE JUDICIAL MAGISTRATE,
MANAPPARAI.
2. DO THROUGH -THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
4. THE INSPECTOR OF POLICE,
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8410 of 2025
Date :08/05/2025

VN/12.05.2025 6P/6C

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