



CRL OP(MD)No.8813 of 2025

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

Date : 21.05.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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1.Shanmugam @ Kannan

2.Santhoshkumar

3.Muthukumar

4.Anthoni Raj

... Petitioners

Vs

The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
In Cr.No.248 of 2025

... Respondent

For Petitioners : Mr.C.Venkatesh
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 BNSS, 2023

PRAYER :-

For Bail in Crime No.248 of 2025 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners/Accused Nos.2 to 5, who were arrested and remanded to judicial custody on 28.04.2025 for the offences punishable under Section 123 BNS and Section 24(1) of the Cigarette and Other Tobacco Products Act 2003 in Crime No.248 of 2025 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the accused persons have illegally transported 2400 kgs of tobacco leaves with an intend to smuggle the same to Srilanka. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. However, they have been arrested and they are languishing in jail from 28.04.2025. Therefore, he prays for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the accused persons illegally transported huge amount of tobacco leaves.

5.Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioners on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners



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are ordered to be released on bail, on executing a bond for a sum of Rs.25,000/-
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(Rupees Twenty Five Thousand only) each with two sureties each for a like sum to
the satisfaction of the learned Judicial Magistrate, Radhapuram and on further
conditions that,

a)the sureties shall affix their photographs and left thumb impression in the
surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar
card or Bank Pass Book to ensure their identity;

b)the petitioners shall make a non refundable deposit of Rs.25,000/- (Rupees
Twenty Five Thousand only) each to the credit of Current Account
No.7567821433, (IFSC Code: IDIBI000H040), in the Indian Bank, High Court Branch,
Madurai Bench of Madras High Court, Madurai, towards Kalaigiar Centenary
Library and on such deposit being made, the learned Judicial Magistrate shall accept
the sureties furnished by the petitioners.

c)the petitioners shall report before the respondent police daily at 10.30 a.m.,
for a period of thirty days and thereafter as and when required.

d)the petitioners shall not tamper with evidence or witness;

e)the petitioners shall not abscond during trial.

f)On breach of any of the aforesaid conditions, the learned Magistrate/Trial
Court is entitled to take appropriate action against the petitioners in accordance



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with law as if the conditions have been imposed and the petitioners released on bail
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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].

g) If the accused thereafter absconds, a fresh FIR can be registered under
Section 269 BNS.

sd/-
21/05/2025

/ TRUE COPY /

22/05/2025
Sub-Assistant Registrar (V)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns
TO

1. The Judicial Magistrate, Radhapuram.
2. Do through the Chief Judicial Magistrate, Radhapuram.
3. The Superintendent,
Central Prison, Palayamkottai, Tirunelveli District.
4. The Inspector of Police,
Koodankulam Police Station, Tirunelveli District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to
The Section Officer, Accounts Section,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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Date :21/05/2025

NBF/22.05.2025 5P/7C

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