



CRL OP(MD). No.9124 of 2025

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

Date : 03/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Kanagaraj,
S/o.Selvaraj,
240, Vivekananthar Street,
Mathalamparai,
Tenkasi,
Tenkasi District.

...Petitioner/ Accused

Vs

The State of TamilNadu,
Rep. by The Inspector of Police,
Tenkasi Police Station,
Tenkasi District.
(Crime No.351 of 2025)

... Respondent/ Complainant

For Petitioner : M/s.R.J.Karthick
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.351 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 05.05.2025 for the offences punishable under Sections 6(a), 24(1) of COTPA Act



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and Section 77 of Juvenile Justice Act in Crime No.351 of 2025 on the file of the
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respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was in illegal possession of 45Kgs of prohibited tobacco products worth about Rs.24,000/- and he tried to sell to the school students. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner is ready to abide any stringent conditions imposed by this Court. He would further submit that the petitioner is in custody from 05.05.2025 nearly 28 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner was in illegal possession of 45Kgs of prohibited tobacco products and he tried to sell the same to the school students. The petitioner arrested and remanded to judicial custody and the alleged contraband was seized by the respondent police. He would further submit that there is no previous case against the petitioner. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note that the alleged contraband was seized by the respondent police and also taking into consideration of the period of incarceration and considering the fact



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that there is no previous case against the petitioner. This court is inclined to grant
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bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on 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 Judicial Magistrate Court, Tenkasi and on further conditions that :-

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

[b] The petitioner shall furnish his residential address and mobile number to the Judicial Magistrate Court, Tenkasi.

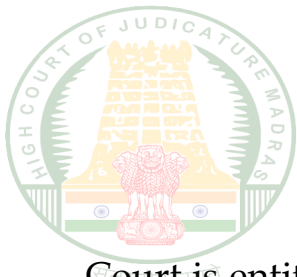
(c) If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate Court, Tenkasi;

[d] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m. until further orders.

[e] the petitioner shall not abscond either during investigation or trial.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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Court is entitled to take appropriate action against the petitioner in accordance with
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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].

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

sd/-
03/06/2025

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03/06/2025
Sub-Assistant Registrar (C.S.-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn
TO

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



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ORDER

IN

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Date :03/06/2025

NBF/03.06.2025 5P/6C

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