



CRL OP(MD). No.9587 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.06.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9587 of 2025

Prakash @ Prahash

... Petitioner/ Accused No.1

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
Crime No. 194 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.P.R.Boomee Rajan,
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.194 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-



CRL OP(MD). No.9587 of 2025

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The petitioner /Accused No.1, who was arrested and remanded to judicial custody on 24.04.2025 for the offences under Sections 275 and 123 of BNS Act, 2023 read with Section 24(1) of Cigarette and other Tobacco Products Act in Crime No.194 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, the respondent and his team had conducted a search, during which, they found that the accused were found in illegal possession of 556 kilograms of banned tobacco products. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner was arrested and he is in custody from 24.04.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner/A1 along with other accused were found in illegal possession of 556 kilograms of banned tobacco products, worth about Rs.4,00,000/-. He would further submit that the petitioner is having two previous cases, which are similar in



CRL OP(MD). No.9587 of 2025

nature. Hence, he opposed to grant bail to the petitioner. However, he fairly
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concedes that the property has been recovered.

5. Taking into consideration of the facts and circumstances of the case and the petitioner is in custody for the past 50 days and by this time, most of the investigation might have been completed and also taking into consideration of the period of incarceration and the property has been recovered, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, 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 local sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.I, Kumbakonam 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 contact number to the learned Judicial Magistrate No.I, Kumbakonam. If the petitioner changes his



CRL OP(MD). No.9587 of 2025

residential address, he shall report the same to the concerned Court.

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[c] the petitioner shall make a non refundable deposit of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the the Chief Minister's Public Relief Fund (CMPRF) in Tamil Nadu bearing Account No.11720 10000 00070, Indian Overseas Bank, Secretariat Branch, Chennai, IFSC No.IOBA0001172 and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner;

[d] the petitioner shall report 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 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



CRL OP(MD). No.9587 of 2025

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court
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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/-
12/06/2025

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/06/2025
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 NO.I,
KUMBAKONAM.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
3. THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM.
4. THE INSPECTOR OF POLICE,
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO
THE CHIEF MINISTER'S PUBLIC RELIEF FUND (CMPRF),



CRL OP(MD). No.9587 of 2025

CHENNAI, TAMIL NADU.

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+1 CC to M/s.P.BANU PRASATH, Advocate (SR-6221[I] dated 12/06/2025)

ORDER

IN

CRL OP(MD) No.9587 of 2025

Date :12/06/2025

HPS/12.06.2025 /6P/8C

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