



CRL OP(MD). No.9245 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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1. Prakash Puri
S/o.Chandan Puri,
Sindhoooru Padumer District,
Rajasthan State.

2. Kushal Singh,
S/o.HR Singh,
Pisinkedu,
Jaloor District,
Rajasthan State.

..Petitioners/ Accused No.2 & 3

Vs

The State of Tamil Nadu,
Rep.by The Inspector of Police,
Thanjavur Town South Police Station,
Thanjavur District.
(Crime No.108 of 2025)

... Respondent/ Complainant

For Petitioner : M/s.C.Senthil Murugan
Advocate.

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



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PETITION FOR BAIL Under Sec.483 of BNSS

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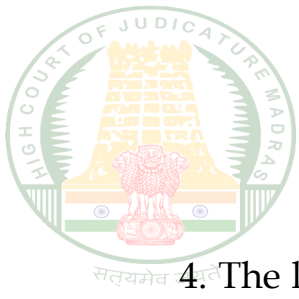
PRAYER :- For Bail in Crime No.108 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioners / Accused Nos.2 & 3, who were arrested and remanded to judicial custody on 20.05.2025 for the offences punishable under Sections 123 of BNS r/w.Section 24(1) of Cigarette and other Tobacco Products Acts, 2003 in Crime No.108 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 20.05.2025, at about 11.00hrs, the respondent police have conducted routine surveillance, at that time a car bearing registration No. DL 14 CD 3047 was intercepted by the respondent police and they found that the accused persons have illegally transported 161 Kilograms of banned tobacco products. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. The petitioners are ready and willing to abide any stringent conditions imposed by this Court. He would further submit that the petitioners are in custody from 20.05.2025 nearly 15 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that these petitioners and other accused person have illegally transported 161Kgs of banned tobacco products. The respondent police seized all the contraband. There is no previous case against these petitioners. However, he objected to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that there is no previous case against the petitioners and the alleged contraband was seized by the respondent police and considering the fact that petitioners/accused No.2&3 are remanded into judicial custody on 20.05.2025, taking into consideration of the period of incarceration. This court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing separate bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each, with two sureties, each for a like sum to the satisfaction of Judicial Magistrate No.I, Thanjavur and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



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surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

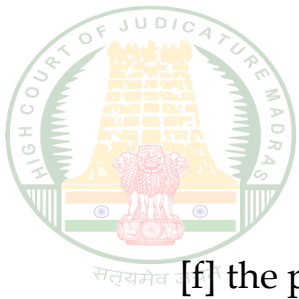
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[b] the petitioners shall make a non refundable deposit of Rs.10,000/- (Rupees Ten thousand only) each to the credit of Current Account No. 7567821433, (IFSC Code: IDIBI000H040), in the Indian Bank, High Court Branch, Madurai Bench of Madras High Court, Madurai, towards Kalaighnar Centenary Library and on such deposit being made, the learned Judicial Magistrate No.I, Thanjavur shall accept the sureties furnished by the petitioner;

[c] The petitioners shall furnish their residential address and mobile number to the Judicial Magistrate No.I, Thanjavur.

(d) If the petitioners changes their residential address, they shall report the same to the Judicial Magistrate No.I, Thanjavur;

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



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[f] the petitioners shall not abscond either during investigation or trial.

[g] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[h] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

sd/-
04/06/2025

/ TRUE COPY /

04/06/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1. THE JUDICIAL MAGISTRATE NO.I,
THANJAVUR.
2. THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE, DISTRICT PRISON,
THANJAVUR.
4. THE OFFICER INCHARGE,
KALAIAGNAR CENTENARY LIBRARY,MADURAI.
5. THE INSPECTOR OF POLICE,
THANJAVUR TOWN SOUTH POLICE STATION,
THANJAVUR DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN

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Date :04/06/2025

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