



CRL OP(MD).No.9506 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9506 of 2025

Sukumar,
S/o.Krishnamoorthy,
5/26, Bazar Street,
Thirupuyampayam,
Kumbakonam Taluk,
Thiruppurambiyam,
Thanjavur District.

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Swamimalai Police Station,
Thanjavur District.
(Crime No.192 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.T.Eashwar
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.192 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody

on 02.05.2025 for the offences punishable under Sections 275, 123 of BNS, 2023 and

<https://www.mhc.tn.gov.in/judis>



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Section 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.192 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 02.05.2025 at about 06.00a.m. the respondent police was patrolling near Thirupurampiyam Village, at that time, they found that the petitioner herein was in illegal possession of 325Kgs of banned tobacco products. 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 offences as alleged by the prosecution. The petitioner is ready and willing to abide and conditions that may be imposed by this Court. He further submits that the petitioner undertakes to deposit amount that may be imposed by this Court. He would further submit that the petitioner is in custody from 02.05.2025 nearly 33 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the respondent police found that the petitioner is in illegal possession of 325Kgs of various banned tobacco products. All the contraband were seized by the respondent police. The contraband involved in this case are huge quantity. This petitioner is having one previous case, which is similar in nature. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also



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taking note of the fact that the contraband was seized by the respondent police, the
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petitioner/accused remanded into judicial custody on 02.05.2025, taking into
consideration of the period of incarceration, 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 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 No.II,
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 make a non refundable deposit of Rs.1,00,000/- (Rupees
One Lakh only) to M.S.Chellamuthu Trust and Research Foundation, Current
Account No.11194450660, IFSC Code No.SBIN0001479, MICR No.625002006 in the
State Bank of India, Vinayaganagar Branch No.8, Dr.Ambedkar Road, Madurai - 20,
and on such deposit being made, the learned Judicial Magistrate No.II, Kumbakonam
shall accept the sureties furnished by the petitioner;

[c] The petitioner shall furnish his residential address and mobile number to
the Judicial Magistrate No.II, Kumbakonam. If the petitioner changes his residential



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address, he shall report the same to the Judicial Magistrate No.II, Kumbakonam;

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[d] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m. and 05.30p.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 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/-
09/06/2025

/ TRUE COPY /

09/06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO
1 THE JUDICIAL MAGISTRATE NO.II,
KUMBAKONAM.



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2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM.

4 THE INSPECTOR OF POLICE,
SWAMIMALAI POLICE STATION,
THANJAVUR DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:
THE OFFICER INCHARGE,
M.S.CHELLAMUTHU TRUST AND RESEARCH FOUNDATION
MADURAI.

ORDER
IN
CRL OP(MD) No.9506 of 2025
Date :09/06/2025

SA/SAR. /09.06.2025/5P/7C

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