



CRL OP(MD). No.9462 of 2025

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

Date : 10.06.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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1.Sekar

2. Vengadachalam

... Petitioners/ Accused No.1 & 2

Vs

The State of Tamilnadu
Rep., by, the Inspector of Police,
Illupur Police Station,
Pudukottai District.
(Crime No. 112 of 2025).

... Respondent/ Complainant

For Petitioners : Mr.A. S.Sathyachidambaram
Advocate.

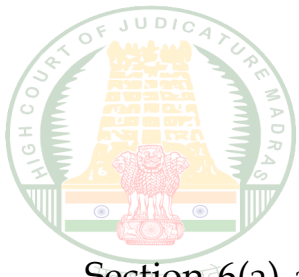
For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.112 of 2025 on the file of the respondent police.
ORDER : The Court made the following order :-

The petitioners/A1 & A2, who were arrested and remanded to judicial
custody on 24.05.2025 for the offences under sections 123 of BNS, 2023 read with



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Section 6(a) and 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime
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No.112 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found in possession of 67 Hans Packets weighing about 20.100 kg of tobacco products. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against him. He would further submit that the petitioners are in custody from 24.05.2025. Hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioners/Accused No.1 and 2 were found in possession of 67 Hans Packets weighing about 20.100 kg of tobacco products and worth about Rs.21,000/-. He would further submit that A1 is having one previous case. Hence, he objected to grant bail to the petitioners. However, he fairly concedes that the property has been recovered and the A2 has no previous case.

5. Taking into consideration of the facts and circumstances of the case and also taking into consideration of the period of incarceration and the fact that the entire contraband in this case has been recovered and by this time, most of the investigation might have been completed, this court is inclined to grant bail to the petitioners, subject to the certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their



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executing a bond for a sum of Rs.25,000/- (Rupees Twenty Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Illuppur, Pudukottai District, 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 petitioners shall furnish his residential address and mobile number to the learned Judicial Magistrate, Illuppur, Pudukottai District. If the petitioners changes their residential address, they shall report the same to the concerned Court.

[c] the petitioners shall make a non refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of the 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 shall accept the sureties furnished by the petitioners;

[d] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

[e] the petitioners shall not abscond either during investigation or trial;

[f] the petitioners shall not tamper with evidence or witness either during



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investigation or trial;

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[g] 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]; and

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
10/06/2025

/ TRUE COPY /

10 /06/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

MAC

TO

1. THE JUDICIAL MAGISTRATE, ILLUPPUR, PUDUKOTTAI DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3. THE OFFICER IN CHARGE,

M.S.CHELLAMUTHU TRUST AND RESEARCH FOUNDATION,

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



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VINAYAGANAGAR BRANCH NO.8,
DR.AMBEDKAR ROAD, MADURAI-20

4. THE OFFICER-IN-CHARGE,
DISTRICT PRISON, PUDUKOTTAI
5. THE INSPECTOR OF POLICE,
ILLUPUR POLICE STATION,
PUDUKOTTAI.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9462 of 2025
Date :10/06/2025

PR/10.06 .2025 5P/7C

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