



CRL OP(MD). No.9384 of 2025

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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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Manikandan

... Petitioner/ Accused No.2

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Ponnamaravathy Police Station,
Pudukottai District.
Crime No. 81 of 2025.

... Respondent/ Complainant

For Petitioner : Mr.A.Abdulkabur,
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.81 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner /Accused No.2, who was arrested and remanded to judicial custody on 20.05.2025 for the offences under Sections 275, 123 of BNS, 2023 read with Section 6(a) and 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.81 of 2025 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that based on the secret information, the respondent and his team conducted a search, during which, they have seized 260 kilograms of various kinds of banned tobacco products from the accused, which kept in the godown belongs to one Muthu. 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 based on the confession statement of A1, the petitioner was arrest and he is in custody from 20.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that totally there are two accused in the case and the petitioner is arrayed as A2. The accused were found to be in illegal possession of 260 kilograms of banned tobacco products, worth about Rs.2,00,000/-, which kept in the godown owned by one Muthu. He would further submit that the petitioner/A2 is in actual possession and enjoyment of the godown and one previous case of similar in nature is pending against the petitioner. Hence, he opposed to grant bail to the petitioner.

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



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petitioner, subject to the following conditions:

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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 sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Ponnamaravathy 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 learned Judicial Magistrate, Ponnamaravathy. If the petitioner changes his residential address, he shall report the same to the concerned Court.

[c] the petitioner shall make a non refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601 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.



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[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].

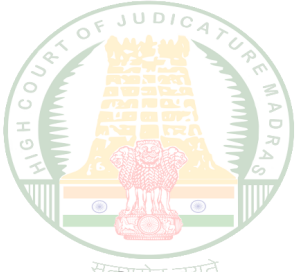
[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
10/06/2025

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

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TO
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1. The Judicial Magistrate,
Ponnamaravathy.
2. Do through the Chief Judicial Magistrate,
Pudukkottai District.
3. The officer in-charge,
District Jail, Pudukottai.
4. The Inspector of Police,
Ponnamaravathy Police Station,
Pudukottai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy To

The District Siddha Medical Officer,
CCRI,
Periyakulam.

ORDER
IN

CRL OP(MD) No.9384 of 2025
Date : 10.06.2025

SL(10.06.2025)/5P/ 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.