



CRL OP(MD).No.9689 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9689 of 2025

Kannan,
S/o.Rama Nadar,
Main Road Street,
Nellaiyappapuram,
Venkatampatti (Post),
Alangulam Taluk,
Tenkasi District.

..Petitioner/ Accused No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
(Crime No.179 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.C.Saravanakumar
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS



CRL OP(MD).No.9689 of 2025

PRAYER :- For Bail in Crime No.179 of 2025 on the file of the Respondent Police.

WEB COPY

ORDER : This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 23.04.2025 for the offences punishable under Sections 123 of BNS, 2023 r/w.24(1) of COTPA Act, 2003 in Crime No.179 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.04.2025, the respondent police was conducted routine vehicle check up, at that time the petitioner and other accused persons were illegally transported banned tobacco products by using Omni van bearing Registration No. TN 20 BR 2670. The respondent police napped the accused persons and seized the entire property. 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 any conditions that may be imposed by this Court. Already the second accused was granted bail by the learned Judicial Magistrate Court, Tenkasi. He would further submit that the petitioner is in custody from 23.04.2025 nearly 48 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner and other accused person were illegally transported banned tobacco



CRL OP(MD).No.9689 of 2025

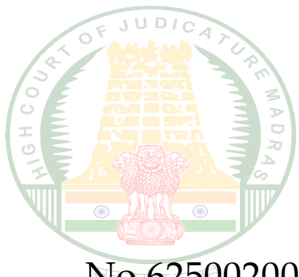
products worth about Rs.1,20,000/-. All the contraband were seized by the respondent police. This petitioner is having two previous cases, all are similar in nature. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the entire contraband were seized by the respondent police, already the second accused released on bail by way of order passed by the learned Judicial Magistrate, Tenkasi, petitioner/1st accused remanded into judicial custody on 23.04.2025, 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 the Judicial Magistrate Court, Tenkasi, Tenkasi 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 petitioner shall make a non refundable deposit of Rs.30,000/- (Rupees Thirty Thousand only) to M.S.Chellamuthu Trust and Research Foundation, Current Account No.11194450660, IFSC Code No.SBIN0001479, MICR



CRL OP(MD).No.9689 of 2025

No.625002006 in the State Bank of India, Vinayaganagar Branch No.8,
Dr.Ambedkar Road, Madurai - 20, and on such deposit being made, the Judicial
Magistrate Court, Tenkasi, Tenkasi District, shall accept the sureties furnished by
the petitioners;

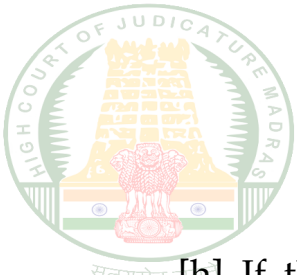
[c] The petitioner shall furnish his residential address and mobile number to
the Judicial Magistrate Court, Tenksi, Tenkasi District. If the petitioner changes his
residential address, he shall report the same to the Judicial Magistrate Court,
Tenaksi, Tenkasi District;

[d] the petitioner shall appear and sign 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
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].



CRL OP(MD).No.9689 of 2025

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

sd/-
10/06/2025

/ TRUE COPY /

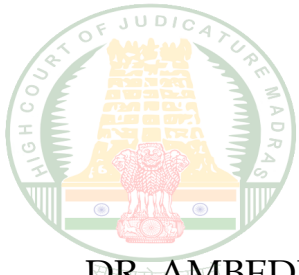
/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO

1. THE JUDICIAL MAGISTRATE,
TENKASI, TENKASI DISTRICT.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.
3. THE OFFICER INCHARGE,
SUB-JAIL,
TENKASI, TENKASI DISTRICT.
4. THE INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
TENKASI 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,
VINAYAGANAGAR BRANCH NO. 8,

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



CRL OP(MD).No.9689 of 2025

DR. AMBEDKAR ROAD, MADURAI - 20.

WEB COPY

ORDER

IN

CRL OP(MD) No.9689 of 2025

Date :10/06/2025

HPS/10.06.2025 /6P/7C

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