



CRL OP(MD).No.9959 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.9959 of 2025

S.Rajesh,
S/o.Suyambu,
9/159, South Street,
Avaraikulam,
Sembikulam,
Tirunelveli District.

..Petitioner/ Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
(Crime No.104 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.R.Ponkarthikeyan
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.104 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 23.05.2025 for the offences punishable under Sections 24(1) of Cigarette and other Tobacco Products Act, 2003 and 123 of BNS in Crime No.104 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 25.01.2025, the respondent police have conducted routine vehicle checkup, at that time, they intercepted the vehicle bearing registration No. TN 72 DZ 3628 and they found that the petitioner illegally transported 44Kgs of banned tobacco products. The respondent police also made search in the residence of the petitioner, at that time, a Maruthi Omni Vehicle was parked in front of the house. Upon searching the said vehicle, the respondent police found that 185Kgs of banned tobacco products and seized the same. 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 would further submit that the petitioner is in custody from 23.05.2025 nearly 23 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that on 25.01.2025, the respondent police had conducted routine vehicle check up, at that



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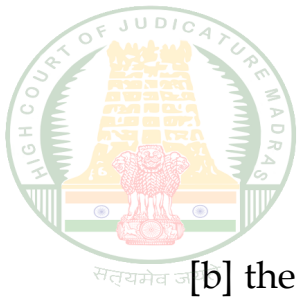
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time the petitioner illegally transported 44Kgs of banned tobacco products and later the respondent police have made search in his residence, at that time, they found 185Kgs of banned tobacco products kept in Omni vehicle bearing registration No. TN 75 Y 7998. All the properties were seized by the respondent police. Worth of the properties is nearly Rs.3,00,000/-. This petitioner is having one previous case and the same was also disposed of. However, he strongly 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 in this case, the properties were seized by the respondent police, the petitioner/accused remanded into judicial custody on 23.05.2025, 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, Vallioor 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.



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[b] the petitioner shall make a non-refundable deposit of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the Mediation and Conciliation Centre, Madurai Bench of Madras High court, Madurai without prejudice to his defence before the trial Court and produce the acknowledgment at the time of executing bond;

[c] The petitioner shall furnish his residential address and contact number to the Judicial Magistrate, Vallioor. If the petitioner changes his residential address, he shall report the same to the Judicial Magistrate, Vallioor;

[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



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

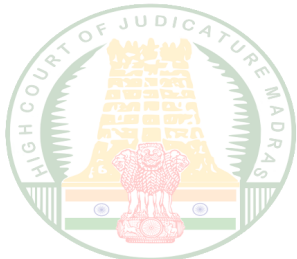
sd/-
16/06/2025

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16/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GVN
TO

1. THE JUDICIAL MAGISTRATE,
VALLIOOR.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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COPY TO

THE CHIEF CO-ORDINATOR,
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (HARD COPY AND SOFT COPY)

ORDER
IN

CRL OP(MD) No.9959 of 2025
Date :16/06/2025

HPS/16.06.2025 /6P/7C

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