



CRL OP(MD). No.10028 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.06.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.10028 of 2025

Delbin Ramesh,
S/o.Balasubramanian

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.
(Crime No.368 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.



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PRAYER:- For Bail in Crime No.368 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 01.06.2025 for the offences under Sections 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and 24(1) of the Cigarettes and Other Tobacco Products Act, 2003, in Crime No.368 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 01.06.2025, based on secret information received, the respondent police conducted a raid. During the raid, the respondent police found the petitioner in possession of prohibited tobacco products without a valid licence. Consequently, the respondent police seized the said products and arrested the petitioner at the place of occurrence. 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 a false case has been foisted against the petitioner. He would further submit that the petitioner is in custody from 01.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner was found in possession of prohibited tobacco products without a valid



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licence. He would further submit that there are no previous cases against the petitioner. He, however, would submit that the investigation in this case is still pending and that, at this stage, if bail is granted to the petitioner, he will abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

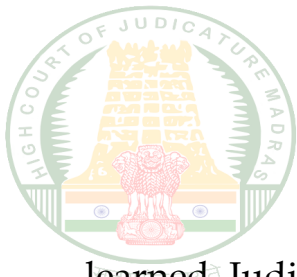
5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the nature of the offence allegedly committed by the petitioner and also taking into consideration the period of incarceration and also the fact that the alleged properties have already been recovered, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:

7. 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, Pattukkottai, 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



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learned Judicial Magistrate, Pattukkottai. If the petitioner changes his residential
WEB COPY address, he shall report the same to the learned Judicial Magistrate, Pattukkottai.

[c] the petitioner shall make a non-refundable deposit of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Mediation and Conciliation Centre, Madurai Bench of Madras High Court, Madurai and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

[d] the petitioner shall appear and sign before the respondent police daily twice at 10.30 a.m. and 05.30 p.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 of BNS, 2023.



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8. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
17/06/2025

/ TRUE COPY /

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

PAL
TO

1 THE JUDICIAL MAGISTRATE,
PATTUKKOTTAI.

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

3 THE OFFICER INCHARGE,
SUB JAIL, THANJAVUR.

4 THE INSPECTOR OF POLICE,
PATTUKKOTTAI TOWN POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO:
THE CO-ORDINATOR
MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (FOR AMOUNT DEPOSIT)



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WEB COPY +1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-6372[I] dated 17/06/2025)

ORDER
IN
CRL OP(MD) No.10028 of 2025
Date :17/06/2025

SA/SAR. /17.06.2025/6P/8C

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