



CRL OP(MD). No.10736 of 2025

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

Date : 03.07.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

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Perumal,  
S/o.Vaithiyalingam

...Petitioner / Accused No.4

Vs

The State of Tamil Nadu,  
Rep by the Inspector of Police,  
Uthumalai Police Station,  
Tenkasi District.  
(Crime No.227 of 2025)

... Respondent / Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian,  
Advocate.

For Respondent : Mr.M.Karunanithi,  
Government Advocate  
(Criminal Side)

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

PRAYER :- For Bail in Crime No.227 of 2025 on the file of the respondent police.

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



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**ORDER** : The Court made the following order :-

The petitioner / accused, who was arrested and remanded to judicial custody on 23.05.2025 for the offences under Sections 123, 275, and 318(4) of the Bharatiya Nyaya Sanhita, 2023, read with Section 24(1) of the Cigarettes and Other Tobacco Products Act, 2003, in Crime No.227 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 23.05.2025, while on patrol duty, the defacto complainant, along with the police officials, found that the accused persons were illegally in possession of and engaged in the transportation of 459 kilograms of banned tobacco products. 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 has been implicated in this case only based on the confession statement given by A1. He would further submit that the



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petitioner is in custody from 23.05.2025. Hence, he seeks bail.

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4. The learned Government Advocate (Criminal Side) would submit that there are totally four accused persons in this case and the petitioner has been arrayed as A4. He would further submit that the total value of the banned tobacco products is Rs. 3,87,000/-. He would also submit that the alleged properties have been recovered from the accused persons. He would further submit that the petitioner had been regularly purchasing the banned tobacco products from A1 and A2. Therefore, he 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:



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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, Alankulam, 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 deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of the Environmental Committee operated by Registrar (Judicial), Indian Bank, Account No.7633863037, MICR Code: 625019020, CIF No:30602376727, IFSC Code: IDIBH040, High Court Branch, Madurai, without prejudice to his rights and contentions before the trial Court as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Alankulam, Tenkasi District, shall accept the sureties furnished by the petitioner.



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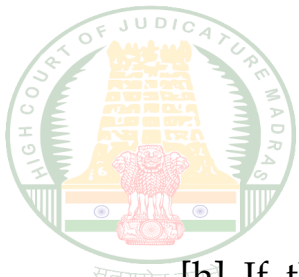
[c] the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Alankulam, Tenkasi District. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Alankulam, Tenkasi District.

[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].



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

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

sd/-  
03/07/2025

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03/07/2025  
Sub-Assistant Registrar ( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

pal  
TO

1. The Judicial Magistrate,  
Alankulam,  
Tenkasi District.
2. Do-Through The Chief Judicial Magistrate,  
Tenkasi District.
3. The Officer-in-Charge,  
District Prison,  
Tenkasi District.
4. The Inspector of Police,  
Uthumalai Police Station,  
Tenkasi District.



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5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Copy To

1. The Officer In-charge,  
Environmental Committee,  
Madurai Bench of Madras High Court, Madurai.

2. THE SECTION OFFICER,  
ACCOUNTS SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN

CRL OP(MD) No.10736 of 2025  
Date :03/07/2025

HPS/03.07.2025 /7P/8C

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