



CRL OP(MD).No.11236 of 2025

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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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Rajagopal (M/27 years)
S/o.Sakthivel

..Petitioner/ Accused No.3

Vs

State of Tamil Nadu Rep by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.159 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.A.Balaji
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.159 of 2025 on the file of the Respondent Police.

ORDER :- This Court made the following order :-

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



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The petitioner / Accused No.3, who was arrested and remanded to judicial custody on 17.06.2025 for the offences punishable under Sections 123 of BNS r/w Section 6 and 24(1) of Cigarette and other Tobacco Products Act 2003, in Crime No.159 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 17.06.2025 at about 05.30 a.m., when the respondent police was on regular patrolling duty they found that the petitioner along with other accused persons were in possession of banned tobacco products 1) seven sacks each containing 55 packets of 701 Ganesh Tobacco, weighing 225 grams per packet, totalling 385 packets, 2) One sack containing 52 packets of Vimal pan masala, each weighing 75 grams and 3) One sack containing 52 packets of V 1 tobacco, each weighing 10.5 grams . The total value of the seized goods worth about of Rs.54,000/- and totally tobacco products 91 kilograms and 71 grams. Hence, the complaint.

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



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prosecution. He would further submit that the petitioner is an auto driver, he was falsely implicated in this case. He would further submit that the Principal District Judge, Srivilliputhur had dismissed the bail applications against the petitioner and other accused persons. He would further submit that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court. He further submits that the petitioner undertakes to deposit amount that may be imposed by this Court. He would further submit that the petitioner is in custody from 17.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the property has been recovered and there is no previous case pending against the petitioner. He would further submit that the investigation is almost completed. However, 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 property has been recovered and the investigation has been almost completed. Further, considering the period of incarceration suffered by the petitioner, this court is inclined to grant bail to the petitioner, subject to the



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following conditions:

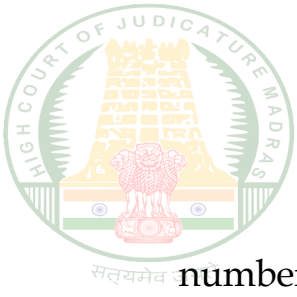
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6. Accordingly, the petitioner is ordered to be released on bail on executing bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Tiruchuli, and 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 Environmental Committee operated by Registrar (Judicial) Account No.7633863037, MICR Code: 625019020, CIF No.30602376727, IFSC Code IDIBH040, High Court Branch, Madurai, without prejudice to his right and contentions before the trial Court as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Tiruchuli, shall accept the sureties furnished by the petitioner;

[c] The petitioner shall furnish his residential address and mobile



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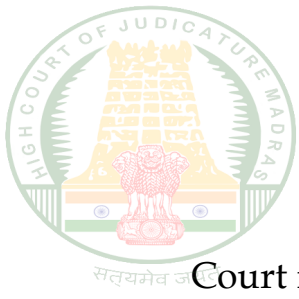
number to the learned Judicial Magistrate, Tiruchuli. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate, Tiruchuli ;

[d] the petitioner shall appear and sign before the respondent police daily 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



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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 BNS.

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.

msrm

To

1. The Judicial Magistrate,
Tiruchuli.
2. Do Through The Chief Judicial Magistrate,
Virudhunagar District @ Srivilliputhur.
3. The Officer In-charge, Sub Jail,
Aruppukottai, Virudhunagar District.
4. The Inspector of Police,
Tiruchuli Police Station,
Virudhunagar District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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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.

+1 CC to M/s.A.BALAJI, Advocate (SR-7083[I] dated 03/07/2025)

ORDER

IN

CRL OP(MD) No.11236 of 2025

Date :03/07/2025

HPS/03.07.2025 /7P/9C

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