



CRL OP(MD).No.11409 of 2025

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

Date : 07.07.2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.11409 of 2025

Pitchaiya, M/38,
S/o.Arumugam

..Petitioner/ Sole Accused

Vs

State of Tamil Nadu Rep by
The Inspector of Police,
Illuppur Police Station,
Pudukkottai District.
(Crime No.136 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar
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.136 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-



CRL OP(MD).No.11409 of 2025

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The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 25.06.2025 for the offences punishable under Sections 123 of Bharatiya Nyaya Sanhita (BNS) 2023 and Section 6(a) and 24(1) of Cigarette and other Tobacco Products Act 2003, in Crime No.136 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 24.06.2025. while the police party were conducting the raid, at that time, they found that the petitioner was found in illegal possession of 1.60 kg of banned tobacco products and the same was recovered by the respondent police.

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. He would further submit that the petitioner is ready and willing to abide and 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 25.06.2025. Hence, he



seeks bail.

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CRL OP(MD).No.11409 of 2025

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 following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Illuppur, Pudukottai 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



CRL OP(MD).No.11409 of 2025

their Aadhar card or Bank pass Book to ensure their identity.
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[b] the petitioner shall deposit a sum of Rs.4,000/- (Rupees Four Thousand only) before the District Siddha Medical Officer, CCRI, Periyakulam in State Bank of India, Periyakulam Branch bearing Account No.10767823177, IFSC No.SBIN000898, MICR Code No.625002601 as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Illuppur, Pudukkottai District, shall accept the sureties furnished by the petitioner;

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

[d] the petitioner shall appear and sign before the respondent police daily at 10.30 a.m.until further orders.



CRL OP(MD).No.11409 of 2025

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[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 BNS.

sd/-
07/07/2025

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07/07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD).No.11409 of 2025

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To

1. The Judicial Magistrate, Illuppur, Pudukkottai District.

2. Do Through The Chief Judicial Magistrate,
Pudukkottai District.

3. The Officer In-charge, District Prison,
Pudukkottai.

4. The Inspector of Police,
Illuppur Police Station,
Pudukkottai District.

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

Copy To

The District Siddha Medical Officer,
Ccric, Periyakulam.

ORDER

IN

CRL OP(MD) No.11409 of 2025

Date :07/07/2025

HPS/07.07.2025 /6P/7C

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