



CRL OP(MD). No.11500 of 2025

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

Date : 08.07.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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Jadish Potliya

... Petitioner/ Accused No.2

Vs

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.C.Saravanakumar,
Advocate.

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

PETITION FOR BAIL Under Section 483 B.N.S.S.

PRAYER :-

For Bail in Crime No.227 of 2025 on the file of the Respondent police.



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ORDER : The Court made the following order :-

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The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 23.05.2025 for the offences punishable under Section 24(1) of Cigarette and Other Tobacco Products Acts 2003 and Sections 123, 275 and 318(4) BNS, 2023 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 intercepted a Creta Hyundai car bearing Registration No.TN-77-Q-8090 (original Registration No.RJ-54-CA-0953) and found that the petitioner along with other accused had illegally transported banned tobacco products weighing 459 kgs. Hence, the case.

3. The learned counsel appearing 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 no way connected with the case, a false case has been lodged as against the petitioner and that the fourth accused was granted bail by this Court in Crl.O.P.(MD)No.10736 of 2025 vide order dated 03.07.2025. The petitioner is ready and willing to abide any conditions that may be imposed by this Court. He would further submit that the petitioner is in



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custody from 23.05.2025 nearly 45 days. Hence, he seeks bail.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are totally 4 accused, the petitioner arrayed as A2, that the petitioner along with other accused had illegally transported banned tobacco products worth about Rs.3,89,504/- and that the contraband and the car were recovered by the respondent police. Hence, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and considering the fact that the entire properties have already been recovered and also the fact that the co-accused was granted bail by this Court and taking note of the fact that the petitioner 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 the Judicial Magistrate, Alangulam,



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Tenkasi District and on further conditions that :-

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[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, Alangulam, Tenkasi District, shall accept the sureties furnished by the petitioner;

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



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[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]; and



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

sd/-
08/07/2025

/ TRUE COPY /

08 /07/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM

TO

1. THE JUDICIAL MAGISTRATE,
ALANGULAM, TENKASI DISTRICT.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI, TIRUNELVELI 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 INCHARGE, ENVIRONMENTAL COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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

ORDER
IN

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Date :08/07/2025

PR/08.07.2025 7P/8C

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