



CRL OP(MD).No.11792 of 2025

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

Date : 11/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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**1. Raja Boopathi,
S/o.Kulanthaiselvam,**

**2. Annamalai,
S/o.Thillainatarajan**

...Petitioners/ Accused Nos.1 & 2

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.159 of 2025)**

.. Respondent/Complainant

For Petitioners : Mr.A.Balaji

For Respondent : Mr.B.Thanga Aravindh

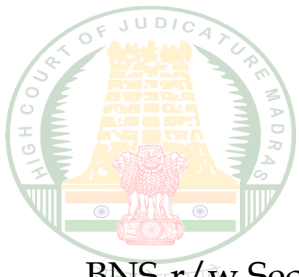
Government Advocate (Crl.Side)

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 :-

**The petitioners / Accused Nos.1 & 2, who were arrested and remanded to
judicial custody on 17.06.2025 for the offences punishable under Sections 123 of**



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BNS r/w. Section 6 and 24(1) of Cigarettes and other Tobacco Products Act, 2003 in
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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 05.30a.m. when the respondent police was on regular patrolling duty, they found that the petitioner along with other accused persons were in illegal possession of banned tobacco products. The total value of the tobacco products is 91 Kilograms and 71 grams. The properties are worth about Rs.54,000/-. Hence, the case.

3. The learned counsel for the petitioners would submit that in this case, there are totally eight accused, these petitioners are arrayed as Accused Nos.1 and 2. The petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. The petitioners are ready and willing to abide any conditions that may be imposed by this Court. Already the Accused Nos.3 to 6 were enlarged on bail by this Hon'ble Court. He would further submit that the petitioners are in custody from 17.06.2025 nearly 23 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that based on secrete information, the respondent police conducted surprise check, at that time, they found that the petitioners along with other accused persons were in illegal possession of banned tobacco products. The total value of the tobacco products is 91 Kilograms and 71 grams. The properties are worth about Rs.54,000/-. The



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respondent police seized the entire property. In this case, already the Accused Nos.3 to 6 were enlarged on bail by this Hon'ble Court. The first petitioner is having two previous cases, all are similar in nature. The second petitioner is concerned, there is no previous case against him. Hence, he objected to grant bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that in this case, the entire properties were recovered by the respondent police, already, the co-accused were enlarged on bail by this Court, the petitioners/accused Nos.1 & 2 are in judicial custody from 17.06.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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 petitioners shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) each 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



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prejudice to their rights 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 petitioners.

[c] The petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate, Tiruchuli. If the petitioners changes their residential address, they shall report the same to the learned Judicial Magistrate, Tiruchuli;

[d] the petitioners shall appear and sign before the respondent police daily twice at 10.00a.m. and 05.00p.m. until further orders.

[e] the petitioners shall not abscond either during investigation or trial.

[f] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
11/07/2025

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



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TO

1 THE JUDICIAL MAGISTRATE,
TIRUCHULI.

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR DISTRICT

4. The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.

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

COPY TO:

THE SECTION OFFICER,
ACCOUNT SECTION,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.BALAJI, Advocate (SR-7402[I] dated 11/07/2025)

ORDER

IN

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Date :11/07/2025

MK/11.07.2025 5P/8C

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