



CRL OP(MD).No.12304 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12304 of 2025

Prakash,
S/o.Karunanithi,

..Petitioner/ Accused
No.1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
(Crime No.217 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.S.Gurumoorthy
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.217 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 04.07.2025 for the offences punishable under Sections 281, 275, 123 of BNS r/w.Section 5, 7(1), 24(1) of Cigarette and other Tobacco Products Act, 2003 in Crime No.217 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused had illegally transported 105 Kgs of Hans, 36.400kgs of Vimal Pakku & 7 Kgs of Vimal V-1 Jartha, totally weighing 148.400Kgs worth about Rs.1,48,400/-. Hence, the case.

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. 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 custody from 04.07.2025, more than 17 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner and other accused person were illegally transported 148.400Kgs of various banned Tobacco products worth about Rs.1,48,400/-. The entire contraband were seized by the respondent police. The Accused No.2 was enlarged on bail by this Court in Crl.O.P.(MD).No.12075 of 2025 dated 17.07.2025. This petitioner is having



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five previous cases, all are similar in nature. Hence, 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 in this case, the entire property has been recovered by the respondent police, co-accused already enlarged on bail by this Court, by this time most of the investigation might have been completed, the petitioner/accused No.1 is in judicial custody from 04.07.2025, 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 learned Judicial Magistrate, Papanasam, Thanjavur 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.20,000/- (Rupees Twenty Thousand only) to the credit of the Environmental committee operated by Registrar (Judicial),**



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Indian Bank, Account No.7633863037, MICR Code: 625019020, CIF No.30602376727,

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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, Papanasam, Thanjavur District, shall accept the sureties furnished by the petitioner.

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

[d] the petitioner shall appear and sign before the respondent police daily at 10.30a.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 BNS.

sd/-

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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, PAPANASAM, THANJAVUR DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR DISTRICT AT KUMBAKONAM.
 - 3 THE OFFICER INCHARGE, SUB JAIL, PAPPANASAM.
 - 4 THE INSPECTOR OF POLICE, KABISTHALAM POLICE STATION, THANJAVUR DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- copy
THE SECTION OFFICER, ACCOUNTS SECTION, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.12304 of 2025

Date :22/07/2025

NBF/SAR- /22/07/2025/ 5P/7C

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