



CRL OP(MD).No.12512 of 2025

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

Date : 24/07/2025

PRESENT
THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12512 of 2025

**Mayalagan,
S/o.Krishnan,**

..Petitioner/ Accused No.1

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
Avaniyapuram Police Station,
Madurai city,
Madurai District.
(Crime No.347 of 2025)**

.. Respondent/Complainant

**For Petitioner : Mr.T.Gopala Krishnan
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.347 of 2025 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 29.06.2025 for the offences punishable under Sections 6(b), 24(1) of COTPA Act and Section 77 of Juvenile Justice (Care and Protection of Children) Act,



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2015 in Crime No.347 of 2025 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 29.06.2025 at about 2.30p.m. Near the wine shop at Villapuram, Madurai, the respondent police while on surveillance duty, they found that this petitioner and other accused having illegal possession of banned tobacco products with an intention to sell the same to school children. The respondent police recovered 25 packets each contained 15gms of banned tobacco products. Hence, the case.

3. The learned counsel for the petitioner would submit that this 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 29.06.2025, nearly 28 days. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that on the secret information, on 29.06.2025, at about 02.30p.m., the respondent police had conducted search near Patma Theatre, Villapuram, Madurai, at that time, this petitioner was found in illegal possession of 13 packets of banned tobacco products and the co-accused was in possession of 12 packets of banned tobacco products. The



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respondent police recovered 25 packets each contained 15gms of banned tobacco products. This petitioner is having seven previous cases, all are registered under Prohibition Act and COTPA Act. 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, by this time most of the investigation might have been completed, the petitioner/accused is in judicial custody from 29.06.2025, 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 Court No.VI, Madurai 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.5,000/- (Rupees Five Thousand



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only) जय 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 prejudice to his rights and contentions before the trial Court as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate Court No.VI, Madurai, shall accept the sureties furnished by the petitioner.

[c] The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate Court No.VI, Madurai. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate Court No.VI, Madurai;

[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



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law as if the conditions have been imposed and the petitioner released on bail by the
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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/-
24/07/2025

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/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 No.VI,
Madurai.
2. Do Through The Chief Judicial Magistrate,
Madurai.
3. The Superintendent,
Central Jail,
Madurai.
4. The Inspector of Police,
Avaniyapuram Police Station,
Madurai City, Madurai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Copy To

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.12512 of 2025
Date :24/07/2025

HPS/24.07.2025 /6P/7C

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