



CRL OP(MD).No.12728 of 2025

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

Date : 29/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12728 of 2025

Murugesan,
S/o.Kannaiyan,

: Petitioner/ Accused Rank
not known

Vs

The State of Tamilnadu
rep.by the Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur City.
(Crime No.482 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate.

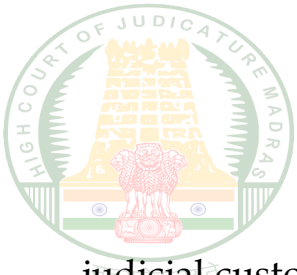
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.482 of 2025 on the file of the Respondent Police.

ORDER: This Court made the following order :-

The petitioner/ Accused Rank not known, who was arrested and remanded to



CRL OP(MD).No.12728 of 2025

judicial custody on 12.07.2025 for the offences punishable under Sections 123, 275 of BNS r/w Section 24(1) of Cigarette & Other Tobacco Products Act, 2003 r/w 77 of Juvenile Justice (Care and Protections of Children) Act 2015, in Crime No.482 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 12.07.2025, on receipt of secret information, the respondent police made search, at that time, they found that the petitioner illegally possessed banned tobacco products such as Hans-100 Packets, Cool Lip Filter Tobacco - 43 Packets, Vimal Tobacco -727 Packets and V.I. Tobacco-790 packets nearby school premises in order to sell it to the students and public for higher price. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that this is the second bail application and the earlier bail application before the learned I Additional District and Sessions Judge (PCR), Thajavur was dismissed on 24.07.2025 in Cr.M.P.No.4041 of 2025. He further submitted that the petitioner has paid the fine and penalty amount of Rs.25,000/- imposed by the Food Safety Officer. He also submitted that the petitioner is in



CRL OP(MD).No.12728 of 2025

custody from 12.07.2025. Hence, he seeks bail.

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4. The learned Government Advocate (Criminal Side) submitted that on 12.07.2025, on receipt of secret information, the respondent police made search, at that time, they found that the petitioner illegally possessed banned tobacco products nearby school premises in order to sell it to the students and public for higher price. He further submitted that the entire properties were recovered and the Food Safety Officer has imposed fine amount of Rs.25,000/- and the same also complied with by the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the facts that the properties were recovered and the occurrence had taken place on 12.07.2025, by this time most of the investigation might have been completed, the petitioner is not having any bad antecedents and also considering the fact that the petitioner/Accused is in judicial custody from 12.07.2025, 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



CRL OP(MD).No.12728 of 2025

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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 No.II, Thanjavur, 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 furnish his residential address and contact number to the learned Judicial Magistrate No.II, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.II, Thanjavur;

[c] the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., until further;

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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



CRL OP(MD).No.12728 of 2025

in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
29/07/2025

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

DAS

TO

- 1.THE JUDICIAL MAGISTRATE NO.II,
THANJAVUR.
- 2.THE CHIEF JUDICIAL MAGISTRATE,
THANJavur DISTRICT.
- 3.THE SUPERINTENDENT OF PRISON,
CENTRAL PRISON, TRICHY.
- 4.THE INSPECTOR OF POLICE,
THANJAVUR TALUK POLICE STATION,
THANJAVUR DISTRICT.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to K. M.KARUNAKARAN Advocate SR.No.8123 (I) DT.29/07/2025



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CRL OP(MD).No.12728 of 2025

ORDER
IN

CRL OP(MD) No.12728 of 2025

Date :29/07/2025

NM/29.07.2025/ 6P/7C

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