



CRL OP(MD).No.13750 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.13750 of 2025

Baveshkumar,
S/o.Sureshkumar,

..Petitioner/ A1

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(Crime No.346 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.R.Ilayaraja,
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.346 of 2025 on the file of the Respondent Police.



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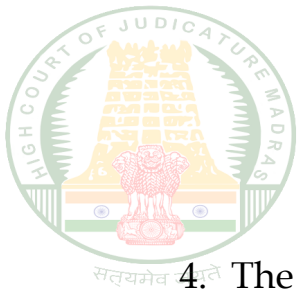
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ORDER : This Court made the following order :-

The petitioner /A1, who was arrested and remanded to judicial custody on 31.07.2025 for the offences punishable under Sections 275 and 123 BNS and Section 24 (1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.346 of 2025 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 31.07.2025, at about 10.30 a.m., based on the secret information, when the respondent Police was in routine patrol near Ashok Enterprises shop at Kumbakonam periya kadai veethi, wherein the petitioner and other accused were in possession of 8 kgs of banned tobacco products (5 kgs of Hans and 3 kgs of Coolip). Hence, the present complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that 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 31.07.2025 nearly 18 days. Hence, he seeks bail.



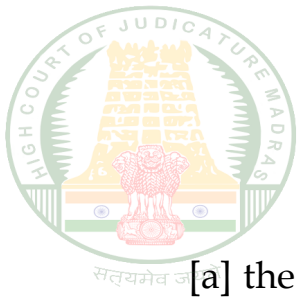
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4. The learned Government Advocate (Criminal Side) would submit that 31.07.2025, at about 10.30 a.m., when the respondent Police was in routine patrol, wherein they found that the petitioner and other accused were in possession of 8 kgs of banned tobacco products (5 kgs of Hans and 3 kgs of Coolip). He would further submit that the entire property has been recovered. He would further submit that no previous case is pending against the petitioner. He would further submit that the investigation is in progress. However, he opposed to grant bail.

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 and the occurrence had taken place on 31.07.2025, by this time, most of the investigation might have been completed and also considering the fact that the petitioner/ A1 is in judicial custody from 31.07.2025, taking into consideration of the period of incarceration and the petitioner is not having any previous case, 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate No.1, Kumbakonam, Thanjavur, 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 make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Women Advocates Association, Indian Bank, High Court Branch, bearing Account No.770357420, IFSC No.IDIB000H040, and on such deposit being made, the learned Judicial Magistrate No.1, Kumbakonam, Thanjavur, shall accept the sureties furnished by the petitioner;

[c] The petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.1, Kumbakonam, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Judicial Magistrate No.1, Kumbakonam, Thanjavur;

[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 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 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/-
19/08/2025

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

vsg
TO

- 1 Judicial Magistrate No.1,
Kumbakonam, Thanjavur.
- 2 Do Through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3 The Officer-In-Charge,
Sub Jail, Kumbakonam.
- 4 The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
- 5 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

<https://www.mhc.tn.gov.in/judis>



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Copy to:

THE OFFICER INCHARGE,
WOMEN ADVOCATES ASSOCIATION,
INDIAN BANK, HIGH COURT BRANCH,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.R.ILAYARAJA, Advocate (SR-8959[I] dated 19/08/2025)

ORDER
IN
CRL OP(MD) No.13750 of 2025
Date :19/08/2025

AS/19.08.2025/6P/8C

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