



CRL OP(MD).No.14464 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2025

PRESENT

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD).No.14464 of 2025

Gopalakrishnan
S/o.Alagarsamy

..Petitioner/ Accused
No.1

Vs

The State of Tamilnadu
Rep.by its The Inspector of Police,
Gandamanur Police Station,
Theni District.
(Crime No.143 of 2025)

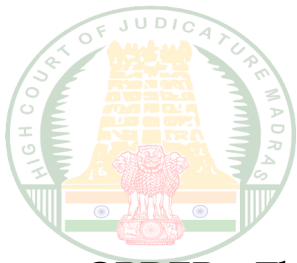
.. Respondent/ Complainant

For Petitioners : Mr.A.Thiyagarajan
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.143 of 2025 on the file of the Respondent Police.



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ORDER: This Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 10.08.2025 for the offences punishable under Sections 6(b) & 24(1) of Cigarette and other Tobacco Products Act, 2003 and Sections 275 and 123 of BNS in Crime No.143 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the defacto complaint's was on patrolling duty near Gandamanur, the petitioner vehicle bearing Registration No.TN 57 BY 4098, they were found in possession of 208.900 kgs of banned tobacco and cash of Rs.1,37,600/-. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case. Actually, the petitioner name was included by the confession only. He is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 10.08.2025. Hence, he seeks bail.

4.The learned Additional Public Prosecutor submitted that the respondent police was on patrolling duty near Gandamanur, the petitioner vehicle bearing



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Registration No.TN 57 BY 4098, they were found in possession of 208.900 kgs of banned tobacco and cash of Rs.1,37,600/-. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and there is no previous case pending against the petitioner and also considering the period of incarceration suffered by the petitioner, 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 in the event of arrest or on their appearance, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Andipatti, Theni District, and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.



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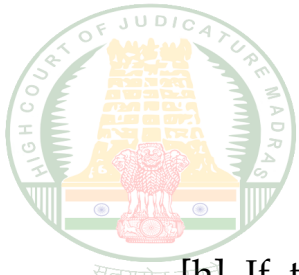
[b]the petitioner shall make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Headmaster, Panchayat Union Middle School, LKB Nagar, Sakkimangalam, Madurai in South Indian Bank Limited, Sakkimangalam Branch, Account No.0733053000000794 IFSC No.SIBL0000733, MICR Code: 625059008, without prejudice to his contentions and rights before the trial Court, for purchasing 30 sets of Bench Desk for the Tribal students under "Namakku Naame" Scheme and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

[c]the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

[e]the petitioner shall not abscond 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 is 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/-
03/09/2025

/ TRUE COPY /

03/09/2025
Sub-Assistant Registrar (C.S – II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RJR
TO

1. The Judicial Magistrate,
Aundipatti, Theni District.
2. Do through The Chief Judicial Magistrate,
Theni District.
3. The Officer Incharge,
District Jail,
Theni.
4. The Inspector of Police,
Gandamanur Police Station,
Theni District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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The Headmaster,
Panchayat Union Middle School,
LKB Nagar, Sakkimangalam,
Madurai

+1 CC to M/s.A.THIYAGARAJAN, Advocate (SR-9589[I] dated 03/09/2025)

ORDER
IN
CRL OP(MD) No.14464 of 2025
Date :03/09/2025

AS/03.09.2025/6P/8C

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