



CRL OP(MD). No.16602 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

(Criminal Jurisdiction)

Date : 26/09/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.16602 of 2025

1. S.Michael Kartheesan

2. S.Pratheesan

... Petitioners/Accused

Vs

The State of Tamil Nadu
Rep.By, the Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
(Crime No.364 of 2025)

... Respondent/Complainant

For Petitioners : Mr.G.M.Xavier
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.364 of 2025 on the file of the respondent police.

1/6



CRL OP(MD). No.16602 of 2025

WEB COPY

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 15.09.2025 for the offences punishable under Sections 24(1) of Cigarette and Other Tobacco Products Act COTPA & Section 77 of Juvenile Justice Act, in Crime No.364 of 2025 on the file of the respondent police. seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of banned tobacco products. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court and they are in judicial custody from 15.09.2025. Hence, he seeks bail to the petitioners.



CRL OP(MD). No.16602 of 2025

WEB COPY

4. The learned Additional Public Prosecutor submitted that there is one previous case pending as against the petitioners. However, he opposed for grant of bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also consideration the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate Court, Thiruchendur, Thoothukudi 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 petitioners shall report before the respondent police as and when required for interrogation.



WEB COPY



CRL OP(MD). No.16602 of 2025

[c] the petitioners shall not abscond either during investigation or trial.

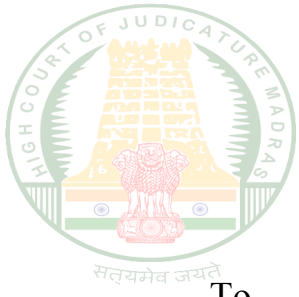
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

(S S Y J)
26.09.2025

msrm



CRL OP(MD). No.16602 of 2025

To
WEB COPY

1. The Judicial Magistrate Court,
Thiruchendur, Thoothukudi District.
2. The Superintendent, Central Prison,
Palayamkottai, Tirunelveli.
3. The Inspector of Police,
Thiruchendur Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD). No.16602 of 2025

S.SRIMATHY,J.

msrm

ORDER
IN
CRL OP(MD) No.16602 of 2025

Date : 26.09.2025