



CRL OP(MD). No.19073 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.19073 of 2025

B.Gunasekaran

... Petitioner/ Sole Accused

Vs

**The State of Tamilnadu,
Rep., by the Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
(Crime No.412 of 2025)**

... Respondent/Complainant

For Petitioner : Mr.NA.Manimaran

**For Respondent : Mr.S.S.Manoj
Government Advocate (Crl. side)**

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.412 of 2025 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 16.10.2025 for the offences punishable under Section 24(1) of Cigarette and other Tobacco Products Act, 2003, and 123 of BNS, Act, 2023, in Crime No.412 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 23 kilograms and 453 grams of banned Tobacco products in his shop. 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 further submitted that the petitioner is in judicial custody from 16.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Government Advocate (Crl. side) submitted that the petitioner has no previous cases. However, he opposed for grant of bail to the petitioner.



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5. Taking into consideration of the facts and circumstances of the case and the petitioner has no previous cases 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 on executing 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 learned Judicial Magistrate No.1, Srivaikundam, Thoothukudi District, and on further conditions that :-

[a] the petitioner 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;

[b] the petitioner is directed to deposit a sum of Rs.10,000/- to the credit of Crime No.412 of 2025 on the file of the respondent police. On such deposit, the learned Magistrate shall accept the sureties;



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[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];

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

31.10.2025

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To

1. The Judicial Magistrate No.1,
Srivaikundam,
Thoothukudi District.

2. The Superintendent,
District Prison,
Perurani,
Thoothukudi District.

3. The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
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