



CRL OP(MD). No.19367 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Manful Swami

... Petitioner/Accused

Vs

The State of Tamil Nadu
Rep.By, the Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.
(Crime No.437 of 2025)

... Respondent/Complainant

For Petitioner : Mr.D.Venkatesh
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.437 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 Sections 123 of BNS 2023 and under Sections 24(1) of the Cigarette and Other Tobacco Products Act, 2003, in Crime No.437 of 2025 on the file of the respondent police. seeks bail.

2. The case of the prosecution is that the petitioner had transported 831 kgs of banned tobacco products. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 16.10.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there is no previous case pending as against the petitioner and the



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property has been recovered. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioner and the property has been recovered 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) with **two blood sureties**, each for a like sum to the satisfaction of the Judicial Magistrate, Tenkasi, 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 report before the respondent police daily at 10.30 a.m., until further orders.



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

[d] the petitioner 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 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 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)
05.11.2025

msrm



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To

1. The learned Judicial Magistrate, Tenkasi
2. The Superintendent, Central Prison,
Palayamkottai.
3. The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi 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
CRL OP(MD) No.19367 of 2025

Date : 05.11.2025