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CRL OP(MD) NO. 19564 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06-11-2025

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 19564 of 2025

Kubendran

Petitioner(s)

Vs

The State of Tamilnadu Rep.by,
Inspector of Police,
Varusanadu Police Station,
Theni District.
(Crime NO. 134 of 2024)

Respondent(s)

For Petitioner(s): Mr.R.Ayyanar

For Respondent(s): Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor

Prayer:

C-33AB For Bail in Crime No.134 of 2025 on the file of the respondent Police.

ORDER: The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 18.10.2025 for the offences punishable under Sections 275, 123 of BNS and Sections 6(a), 24(1) of COTPA Act, in Crime.No.134 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the respondent seized police 110 pouch of Ganesh Tobacco totally weighing 225 grams. Hence, this case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent



person and he has not committed any offence as alleged by the prosecution. He has been arrested and he is languishing in jail from 18.10.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police opposed for grant of bail on the ground that the investigation is still pending. Further, the petitioner has 10 previous cases against him.

5. Considering the facts and circumstances of the case and considering the duration of the custody, this Court is inclined to grant bail to the petitioner on certain 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 the learned Judicial Magistrate, Andipatti, and on further conditions that,

a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b) the petitioner shall report before the Dean of Government Hospital, Madurai, daily at 10.30 a.m., and do social service at the Cancer Ward, Government Hospital, Madurai, for a period of four weeks. Thereafter, the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

c) the petitioner shall not tamper with evidence or witness;



d)the petitioner shall not abscond during trial;

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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].

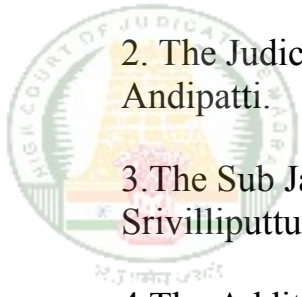
f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

06-11-2025

Tmg

To

1.The Inspector of Police,
Varusanadu Police Station,
Theni District.



2. The Judicial Magistrate,
Andipatti.

3. The Sub Jail,
Srivilliputtur.

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

5. The Dean, Government Hospital,
Madurai.