



CRL OP(MD). No.20417 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.11.2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

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Somu

... Petitioner/Accused

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Pattukottai Police Station,
Thanjavur District.
(Crime No.711 of 2025)

... Respondent/Complainant

For Petitioner : Mr.N.Balasurbramanian

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.711 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 06.11.2025 for the offences punishable under Sections 24(1) of Cigarette and Other Tobacco Products Acts 2003 and Section 123 of the BNS 2023, in Crime No.711 of 2025 on the file of the respondent police, seeks bail.

2. The prosecution's case is that the petitioner was found in illegal possession of 22 ½ 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 06.11.2025. Hence, he seeks bail to the petitioner.



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4. The learned Additional Public Prosecutor submitted that there is one previous case pending against the Petitioner and the 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 the property has been recovered and also consideration 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 sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pattukkottai, 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.



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[b] the petitioner shall make a non refundable deposit of Rs.2,000/- (Rupees Two Thousand only) to the credit of The Head Master, Government Higher Secondary School, Odaipatty, Theni District, in SBI Account No.11268003539, IFSC No.SBIN0000764, State Bank of India, South Car Street, Uthamapalayam, Theni District. This fund shall be utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under " Namakku Name" Scheme, without prejudice to his contentions and rights before the trial Court, 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 abscond either during investigation or trial.

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



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[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 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.

(S S Y J)
27.11.2025

msrm

To

1. The learned Judicial Magistrate, Pattukottai.
2. The Superintendent, District Prison,
Thanjavur.
3. The Inspector of Police,
Pattukottai Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Head Master,
Government Higher Secondary School,
Odaipatty, Theni District.

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S.SRIMATHY,J.

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ORDER
IN
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Date : 27.11.2025