



WEB COPY

CRL OP(MD) NO. 20808 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20-11-2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 20808 of 2025

Sundaramoorthy

Petitioner(s)

Vs

State Of Tamilnadu Rep By Inspector Of Police,
Thirumangalam Town Police Station
Madurai District.
In Crime No.388/2025

Respondent(s)

For Petitioner(s):

Mr.V.Muthusamundeeswaran

For Respondent(s):

Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

Prayer: For Bail in Crime No. 388/2025 on the file of the respondent police.

ORDER

The petitioner/sole accused, who was arrested and remanded to judicial custody on 03.11.2025 for the offences punishable under Sections 286 and 123 of BNS (Corresponding under Section 284 and 328 of IPC) and 24(1) of COPTA Act, 2003, in Crime No.388_of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that, in the petitioner's house, the respondent police found him in possession of 40 packets of Cool Lip and Ganesh 329 (tobacco products). 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. However, he has been arrested and he is languishing in jail from 03.11.2025. 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 two previous cases are pending against the petitioner and the offences are similar in nature.

5. Considering the facts and circumstances 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 Court, Thirumangalam, and on further conditions that,

WEB COPY

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 make a non refundable deposit of Rs.3,000/- (Rupees Three Thousand only) to the credit of The Head Master, Government Model Girls Higher Secondary School, Y.Othakkadai, Madurai, in SBI Account No.10968750674, IFSC No.SBI0002246, State Bank of India Y.Othakkadai, Madurai. 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;



WEB COPY

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

e)the petitioner shall not abscond during 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 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 of BNS.

KSA

20-11-2025



To
WEB COPY

1. The Judicial Magistrate Court, Thirumangalam,
2. The Inspector Of Police,
Thirumangalam Town Police Station
Madurai District.
3. The Superintendent,
Sub Jail, Thirumangalam.
4. The Additional Public Prosecutor,
Madurai Bench Of Madras High Court, Madurai.