



CRL OP(MD) NO. 21946 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28-11-2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 21946 of 2025

Arumugakani

Petitioner(s)

Vs

State Of Tamilnadu Rep By Inspector Of Police, Thatchanallur
Police Station.
Tirunelveli District.
(Crime No. 213 of 2025)

Respondent(s)

For Petitioner(s):

Mr.P.Praveenkumar

For Respondent(s):

Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

Prayer: C-33B.For Bail in Crime No.213/2025 on the file of the
respondent police

ORDER

The petitioner/Accused No.1, who was arrested and remanded to
judicial custody on 12.11.2025 for the offences punishable under
Sections 123 of BNS (corresponding offence under Section 328 of IPC)



and under Section 24(1) of COPTA ACT, in Crime No.213 of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and another accused person were found in illegal possession of Tobacco products of 102.828Kg in a car worth Rs.1,03,736/-. 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 12.11.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that four previous cases are pending against the petitioner.

5. Considering the fact that though four previous cases are pending against the petitioner considering the period of incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.



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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-IV, Tirunelveli, 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 make a non refundable deposit of Rs.10,000/- (Rupees Ten 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 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].



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

KSA

28-11-2025



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To

1. The Judicial Magistrate Court-IV, Tirunelveli.
2. The Inspector Of Police, Thatchanallur
Police Station.
Tirunelveli District.
3. The Central Prison, Palayamkottai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.