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CRL OP(MD) NO. 21918 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28-11-2025

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 21918 of 2025

Francis

Petitioner(s)

Vs

State Of Tamilnadu Rep By Inspector Of Police, Medical College
Police Station,
Thanjavur District
Crime No.535/2025

Respondent(s)

For Petitioner(s):

Mr.A.Arun Prasad

For Respondent(s):

Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

Prayer: C-33B.For Bail in Crime No.535/2025 on the file of the respondent police

ORDER

The petitioner/Accused No.3, who was arrested and remanded to judicial custody on 13.11.2025 for the offences punishable under Sections 24(1) of Cigarette and Other Tobacco Products Act, 2003, 4(1) (B) of Tamil Nadu Prohibition (Amendment) Act, 2024 and 77 of



Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.535 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner was found in possession of 40-Hans Pockets and 35 Coolip pockets in his shop. 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 13.11.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there is no previous case pending against the petitioner.

5. Considering the fact that there is no previous case is pending against the petitioner and also 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-II, Thanjavur, 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 respondent police daily at 10.30 a.m., for two weeks and thereafter as and when required for interrogation.

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.

28-11-2025

KSA

To

1. The Inspector Of Police, Medical College
Police Station, Thanjavur District
2. The Judicial Magistrate Court-II, Thanjavur.
3. The Superintendent, Central Prison, Trichy.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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