



CRL OP(MD). No.22397 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.12.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD)No.22397 of 2025

Murugesan

... Petitioner/ Accused

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Alangulam Police Station,
Tenkasi District.
(Crime No.621 of 2025)

... Respondent/Complainant

For Petitioner : Mr.C.Saravanakumar

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



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.621 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 20.11.2025 for the offences punishable under Sections 24(1) of Cigarette and other Tobacco Products (COTPA) Act, 2003 and Section 77 of the Juvenile Justice JJ Act, 2015, in Crime No.621 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that accused were found in possession of 525 kilograms 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



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as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 20.11.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that five previous cases of a similar nature are pending against the petitioner. Therefore, he opposed for grant of bail to the petitioner.

5. This Court directed the prosecution to produce the accused/A-2, who is in jail as well as the wife/A-1 of the accused. Both have expressed the hazardous nature of 'coolip' and further directed them to submit an undertaking, written in their own handwriting, stating that they will not sell any tobacco or coolip products in the future. The same is extracted hereunder:



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அனுப்புதல்

P.பெருஞ்சென் - 36

S/o Dhanu

4/344-5

மதுரை மன்றம் கோவில்பட்டி

செய்து - ரிதன்சுரேஷ் மாவட்டம்

9790897497

பெருஞ்சென்

கோவை நீதி அலுவலகம்

48ஆவது உயர் நீதிமன்றம்

உ
48ஆவது

அனுப்ப அலுவலகம்.

நாள் மேல்கண்ட முகவரிடம் வசூலித்திருக்கிறார்.

நாள் கடைசி 11 மணிக்கு மேல்கண்ட அலுவலகம்

பெற்றிருக்கிறார். நான் கருத்து அளவியல்

நெருக்கடிகள் யுகவரிடம் - உயர் பெருஞ்சென்

சின்ன அனுப்புவதன் காரணமாக விரைவில்

கிரிஸ்டோவ் உருகு அளவியல் யுகவரிடம் பெருஞ்சென்

உருகு அளவியல் என்னுடைய உருகு அளவியல்



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6. Taking into consideration of the facts and circumstances of the case, the undertaking filed by the accused persons and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. 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, Alangulam, Tenkasi District, and on further conditions that :-

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar 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 Higher Secondary School, Odaipatty, Theni District, in SBI Account No. 11268003539, IFSC No.SBIN0000764, State Bank of India, South Car Street, Uthamapalayam, Theni District.



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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 the evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or 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 is 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 BNS.

(S S Y J)
11.12.2025

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To

1. The Judicial Magistrate,
Alangulam, Tenkasi District.
2. The Superintendent, Central Prison,
Palayamkottai.
3. The Inspector of Police,
Alangulam Police Station,
Tenkasi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.22397 of 2025

Date : 11.12.2025