



CRL OP(MD). No.22984 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/12/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Kombaiah

... Petitioner/A3

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
Crime No.618/2025.

... Respondent/Complainant

For Petitioner : Palanivel M,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-33B. For Bail in Crime no.618 of 2025 on the
file of the Respondent Police.

ORDER : The Court made the following order :-



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The petitioner, who was arrested and remanded to judicial custody on 17.11.2025 for the offences punishable under Sections 123 of BNS and Section 6(b), 24(1) of Cigarette and other Tobacco Products Act, 2003, in Crime No.618 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and other accused were found illegal possession of 23.875 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 in judicial custody from 17.11.2025. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has ten previous cases and the contraband was seized. However, he opposed



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for grant of bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case and inspite of the petitioner has 10 previous cases, however, they were not similar offence, but other acts and considering the nature of offence 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:

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) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate No.I, Tirunelveli, 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;



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[b] the petitioner is directed to report before the Dean, Tirunelveli Government Hospital(High Ground)daily at 10.30 a.m, for ten days and do social work in the hospital and thereafter, the petitioner shall report before the respondent police daily at 10.30 a.m.,until further order;

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[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 is released on bail by the learned Magistrate/Trial Court himself as laid



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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 BNS.

15.12.2025

PJL

TO

1. The Judicial Magistrate No.I, Tirunelveli.
2. Do-Through The Chief Judicial Magistrate,
Thirunelveli District.
3. The Superintendent, Central Prison, Palayamkottai.
4. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S . SRIMATHY , J

PJL

ORDER
IN
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