



CRL OP(MD). No.502 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Rahamathulla @ Raagamathulla

... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
(Crime No.264 of 2024)

... Respondent / Complainant

For Petitioner : Mr.D.Ramesh Kumar, Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.264 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 27.10.2024 for the alleged offences under Sections 275, 123 of BNS, 2023



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and Sections 7(1) and 24(1) of Cigarette and other Tobacco Products Acts, 2003 in
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Crime No.264 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused persons were found in possession of 1070 kilograms of banned tobacco products worth Rs.7,00,000/-. There are totally three accused persons and the petitioner has been arrayed as A1.

3. The petitioner filed the earlier bail application before this Court in Crl.O.P. (MD) No.20415 of 2024 and the same was dismissed as withdrawn by order dated 25.11.2024. Thereafter, the petitioner also moved the Court below for bail and the Court below also dismissed the application. The Court below took into consideration the fact that there are three previous cases against the petitioner for similar offence. The investigation is also yet to be completed in this case.

4. The learned Additional Public Prosecutor (Criminal Side), on instructions, submitted that there are three previous cases against the petitioner for similar offence and the investigation is also pending in this case.

5. Heard the learned counsel on either side and perused the material records of the case.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the entire tobacco products have been seized by the police and the petitioner has suffered incarceration in this case from 27.10.2024 and the



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investigation is pending and also taking note of the fact that there are three previous cases against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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7. Accordingly, the petitioner is ordered to be released on bail on his 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 District Munsif Court-cum-Judicial Magistrate, Orathanadu, Thanjavur District, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate 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. until further orders.

[c] the petitioner shall not tamper with 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 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
10/01/2025

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20/01/2025
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN

To

- 1.The District Munsif cum Judicial Magistrate,
Orathanadu, Thanjavur District.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
- 4.The Officer Incharge,
District Prison,
Thanjavur District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

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Date :10/01/2025

ED/ /SAR- (20/01/2025) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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