



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/02/2026

WEB COPY

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.628 of 2026

1.Marikannan

2.Balaji

... Petitioners

Vs

The State of Tamilnadu
Rep. By, the Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District

(Crime No. 1 of 2026).

... Respondent

For Petitioners: Mr.R. Jagadeeswaran

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 1 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 01.01.2026 for the offences punishable under Sections 123 of BNS, 2023 and Section 24(1) of Cigarette and Other Tobacco Products Act, 2003 in Crime No.1 of 2026 on the file of the respondent police. seek bail.

2. The case of the prosecution is that the petitioners herein had illegally found in possession of 1344 packets of banned tobacco products and a cash sum of Rs.2,01,000/-. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are



an innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court and they are in judicial custody from 01.01.2026. Hence, he seeks bail to the petitioners.

WEB COPY

4. The learned Government Advocate (Crl.Side) submitted that the property has been recovered and the investigation of the case is pending and hence, he opposed for grant of bail to the petitioners.

5. This Court has already granted interim bail to the petitioners and directed the petitioners to appear before this Court and to submit an undertaking stating that the petitioners would not sell Cool Lip in future. The petitioners appeared before this Court and submitted the undertaking. They also understood the effects of Cool Lip.

Therefore, considering the undertaking given by the petitioners, the interim bail already granted is made absolute. Therefore, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on the conditions that :-

[a] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required.

[b] the petitioners shall not abscond either during investigation or trial.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] 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].



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

WEB COPY

The sureties already submitted by the petitioners shall hold good.

(S S Y J)

02.02.2026

TMG

TO

1. The Judicial Magistrate No.II, Kovilpatti, Thoothukudi District
2. The Superintendent, Sub Jail, Kovilpatti.
3. The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.