



CRL OP(MD). No.1055 of 2026

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

Date : 11/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP (MD) No.1055 of 2026

1. Vaithilingam
2. Jebaraj

... Petitioners

Vs

The State of Tamil Nadu,  
Rep By, The Inspector of Police,  
Shencottai Police Station,  
Tenkasi District.  
Cr.No.5 of 2026.

... Respondent/Complainant

For Petitioners: Mr.Ramakrishnan S,  
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.5 of 2026 on the file of the  
respondent police.



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ORDER : The Court made the following order :-

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The petitioners, who were arrested and remanded to judicial custody on 05.01.2026 for the offences punishable under Sections 123 of BNS and Section 24 of CAOTPA Act, in Crime No. 5 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found to be in illegal possession of banned tobacco products. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent person and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 05.01.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioners have two previous cases. However, he opposed for grant of bail to the petitioners.



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WEB COPY 5. Taking into consideration the facts and circumstances of the case and since the petitioner has complied with the condition imposed in the interim bail regularly, the interim bail already granted is made absolute. Accordingly, the petitioner is ordered to be released on bail with certain conditions.

[a] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders. In future, if the petitioner sells any tobacco products, the bail shall stand automatically cancelled.

[b] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond 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



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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].

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

**11.02.2026**

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TO

1. Judicial Magistrate, Shencottai, Tenkasi District.
2. Do-Through The Chief Judicial Magistrate, Tenkasi District.
3. The Superintendent, Sub Jail, Tenkasi, Tenkasi District.
4. The Inspector of Police, Shencottai Police Station, Tenkasi District.
5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

4/5



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S.SRIMATHY, J

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ORDER  
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