



CRL OP(MD). No.1655 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 13.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.1655 of 2026

1. Marimuthu

2. Jobin Joy

... Petitioners/Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Puliyarai Police Station,
Tenkasi District.
(Crime No.10 of 2026)

... Respondent/Complainant

For Petitioners : Mr.K.Dinesh
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.10 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 11.01.2026 for the offences punishable under Sections 123 of BNS 2023, Section 24(1) of the Cigarette and Other Tobacco Products Act, 2003, in Crime No.10 of 2026 on the file of the respondent police. seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 21.57 kgs of banned tobacco products. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners had already been granted interim bail by this Court on 29.01.2026 and they have co-operated with the investigation. He further submitted that the petitioners have filed an affidavit of undertaking before this Court stating that they will not sell, distribute, or deal in tobacco products. He further submitted that the petitioners are ready and



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willing to abide by any conditions which may be imposed by this Court.

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4. The learned Additional Public Prosecutor submitted that the petitioners have co-operated with the investigation.

5. Considering the facts and circumstances of the case and also the fact that the petitioners had complied with the conditions as imposed by this Court dated 29.01.2026. Further, the petitioners have appeared before this Court and filed an affidavit of undertaking stating that they shall refrain from involving themselves in any such offence in the future. Hence, the interim bail already granted by this Court dated 29.01.2026 is made absolute on the following conditions:

(a) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

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

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



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[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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.

(S S Y J)
13.02.2026

msrm

To

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

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S.SRIMATHY,J.

msrm

ORDER
IN
CRL OP(MD) No.1655 of 2026

Date : 13.02.2026