



CRL OP(MD). No.3087 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

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Balasankar

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Kuruvikulam Police Station,
Tenkasi District.
Crime No.40 of 2026.

... Respondent/Complainant

For Petitioner : M.Prabu,
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.40 of 2026 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 02.02.2026 for the offences punishable under Sections 123 of BNS, 2023, (corresponding Section 328 of IPC) and Section 24(1) of the Cigarette and other Tobacco Products Act, 2003, in Crime No.40 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 9 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 02.02.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner has five previous cases. However, he opposed for grant of bail to the



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petitioner.

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5. Taking into consideration of the facts and circumstances of the case 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) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sankarankoil, 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;

[b] **the petitioner shall pay the cost of Rs.5000/- (Rupees Five Thousand only)**



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to the credit of Women Advocates Association, Madurai Bench of Madras High Court (Account No:6477041768, IFSC Code:- IDIB00H040, Indian Bank, High Court Branch, Madurai) for the purpose of maintaining Creche;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

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

[f] 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



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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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 9 BNS.

13.02.2026

PJL

TO

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



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S.SRIMATHY, J

PJL

ORDER
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