



CRL OP(MD). No.3328 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18.02.2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

Crl.O.P(MD). No.3328 of 2026

Shanmugam,

... Petitioner

Vs.

The State of Tamilnadu,
Rep by the Inspector of Police,
Aundipatti Police Station,
Theni District.
Crime No.140/2026.

... Respondent

PRAYER :- For Bail in Crime No.140 of 2026 on the file of the Respondent Police.

For Petitioner : Mr.Thanga Prithvi Rajan P,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabakar
Additional Public Prosecutor

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 06.02.2026 for the offences punishable under Sections Section 6(b) and 24(1) of COTP Act and Section 77 of the Juvenile Justice Act in Crime No. 140 of 2026 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner was found in possession of banned tobacco products weighing about 96.750 kgs. 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 06.02.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that there is no previous case pending as against the petitioner. However, he opposed for grant of bail to the petitioner.

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:



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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 Principal Sessions Judge, Theni, 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 report before the respondent police daily at 10.30 a.m., until further orders.

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



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Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala
[(2005)AIR SCW 5560].

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

18.02.2026

LS

TO

1. The Principal Sessions Judge,
Theni.
2. The Superintendent,
District Jail,
Theni.
3. The Inspector of Police,
Aundipatti Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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S.SRIMATHY,J.

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