



CRL OP (MD) .No.3710 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.02.2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

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Sakthi Vijayan,
S/o.Periyasamy,
20-A, Keelatheru,
Peyanvilai,
Arumuganeri,
Tiruchendur Taluk,
Thoothukudi District..

... Petitioner/Accused

Vs

State of Tamilnadu Rep by,
Inspector of Police,
Arumuganeri, Police Station,
Arumuganeri,
Thoothukudi District.
Crime No.128 of 2026..

... Respondent/Complainant

For Petitioner : Mr.N.Pragalathan,
Advocate.

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



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PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

C-33B. For Bail in Crime no.128 of 2026 on the file of the Respondent Police.

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 Section 123 of BNS, 2023 and Section 24(1) of the Cigarette and other Tobacco Act, 2003 in Crime No.128 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 3.4 kgs of banned tobacco products (Ganesh 701 tobacco and Coollip Tobacco). 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



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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 the petitioner has two previous cases, which are similar in nature. 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:

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 Judicial Magistrate Court, Tiruchendur, Thoothkudi District, and on further conditions



that :-

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[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] At the time of producing sureties, the petitioner is directed to file an undertaking affidavit stating that he should not involve in such offences in future.

[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



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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 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 269 BNS.

(S S Y J)
23.02.2026

vsg



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- 1.The Judicial Magistrate Court,
Tiruchendur, Thoothkudi District.
- 2.The Superintendent, central Prison,
Palayamkottai, Tirunelveli District.
- 3.The Inspector of Police,
Arumuganeri, Police Station,
Arumuganeri,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S. SRIMATHY, J. ,

vsg

ORDER
IN
CRL OP (MD) No.3710 of 2026

Date : 23.02.2026