



CRL OP(MD). No.4302 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.4302 of 2026

Balamurugan

... Petitioner/Accused

Vs

The State of Tamil Nadu
Rep.By, the Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
(Crime No.65 of 2026)

... Respondent/Complainant

For Petitioner : Mr.R.Mohanasundaram
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.65 of 2026 on the file of the
Respondent Police.



CRL OP(MD), No.4302 of 2026

ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 16.02.2026 for the offences punishable under Sections 275, 123 of BNS Act and Section 6(a) r/w 24(1) of the Cigarette and Other Tobacco Products Acts 2003, in Crime No.65 of 2026 on the file of the respondent police. seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 1.500 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 ready and willing to abide by any conditions which may be imposed by this Court and he is in judicial custody from 16.02.2026. Hence, he seeks bail to the petitioner.



CRL OP(MD), No.4302 of 2026

4. The learned Additional Public Prosecutor submitted that there are two previous cases pending as against the petitioner and the property has been recovered. However, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also the fact that the property has been recovered 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, Viralimalai, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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CRL OP(MD), No.4302 of 2026

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders. Further, the petitioner is directed to file an affidavit of undertaking before the Trial Court, at the time of furnishing sureties, affirming that he shall not engage in such offences and shall not sell any banned tobacco products in future.

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

[d] the petitioner shall not tamper with evidence or witness 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 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].

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

(S S Y J)
26.02.2026

msrm



CRL OP(MD), No.4302 of 2026

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To

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



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CRL OP(MD), No.4302 of 2026

S.SRIMATHY,J.

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ORDER
IN
CRL OP(MD) No.4302 of 2026

Date : 26.02.2026



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CRL OP(MD), No.4302 of 2026