



CRL OP(MD). No.5104 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 11/03/2026

CORAM

THE HONOURABLE MR. JUSTICE K.K. RAMAKRISHNAN

CRL OP(MD). No.5104 of 2026

K.Sureshkumar

... Petitioner/Accused No.1

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Puthiamputhur Police Station,
Thoothukudi District.
Crime No.384/2025..

... Respondent/Complainant

PRAYER :-

For Bail in Crime No.384/2025 on the file of the respondent Police.

For Petitioner : K.Karansingh,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

ORDER: The Court made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to
judicial custody on 29.12.2025 for the offences punishable under



CRL OP(MD), No.5104 of 2026

Sections 296(b), 132 & 351(3) of BNS, 2023 @ 296(b), 132, 123 & 351(3) of BNS, 2023 and U/s 7, 24(1) of COTPA Act, in Crime No.384 of 2025, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on secret information relating to the smuggling of banned tobacco products in the forest area, the complainant and his team went to the occurrence place on 29.12.2025, at about 06.00 a.m, and found that 2000 kg of beedi leaves were loaded in a vehicle for sale without any specified warnings. When the complainant enquired them, they abused him in filthy language and prevented him from discharging his duty. Hence, the respondent police registered a case against the accused. Initially case was registered for the offences under Sections 296(b), 132 & 351(3) of BNS, 2023 and thereafter, it was altered into the Sections 296(b), 132, 123 & 351(3) of BNS, 2023 and U/s 7, 24(1) of COTPA Act. Hence, this petition.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that earlier bail petition in



CRL OP(MD), No.5104 of 2026

CrI.OP(MD)No.3212 of 2026 was dismissed by this Court, on 16.02.2026 on the ground that the petitioner has been detained under Act 14 of 1982. Thereafter, the same was revoked. Based on that change of circumstance, this petitioner has been filed. He further submits that the petitioner is in prison from 29.12.2025. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent strongly opposed to grant bail to the petitioner stating that the petitioner has 9 previous cases. Even Act 14 of 1982 against the petitioner was revoked, it is not a ground to grant bail to him since he is a drug offender.

5. Considering the the period of incarceration and also considering the revocation of Act 14 of 1982, this Court is inclined to grant bail to the petitioner on certain 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)



CRL OP(MD), No.5104 of 2026

with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Ottapidaram, and on further conditions that,

a)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

b)the petitioner shall report before the respondent police **twice a day at 10.30 a.m., and 05.30 p.m, until further orders;**

c)the petitioner shall not tamper with evidence or witness;

d)the petitioner shall not abscond during 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



CRL OP(MD), No.5104 of 2026

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 of BNS.

11.03.2026

DSS

TO

1. The Judicial Magistrate,
Ottapidaram.
2. The Superintendent of Prison,
Central Prison, Palayamkottai.
3. The Inspector of Police,
Puthiamputhur Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.

K.K. RAMAKRISHNAN,J



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CRL OP(MD), No.5104 of 2026

DSS

ORDER
IN
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Date : 11/03/2026