



CrL.O.P(MD).No. 4849 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.03.2026

CORAM

THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.4849 of 2026

S.Selvakani

... Petitioner/
Accused No.3

Vs

The State of Tamil Nadu,
Represented by its
The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
Crime No.46 of 2026

... Respondent/
Complainant

For Petitioner : Mr.K.P.Narayanakumar

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.46 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



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19.02.2026 for the offences punishable under Section 24(1) of Cigarette and other Tobacco Products Act 2003 (COTPA Act) and Section 123 of Bharatiya Nyaya Sanhita (BNS), 2023, (Corresponding offence U/s.328 of IPC) in Crime No.46 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and other accused persons were in illegal possession 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 19.02.2026 and A1 already released on bail in CrI.O.P(MD) No.4650 of 2026 dated 27.02.2026. Hence, he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail to the petitioner.



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5. Considering the fact that A1 already released on bail in CrI.O.P(MD) No.4650 of 2026, dated 27.02.2026 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 petition is allowed and 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 Court, Tenkasi District**, 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.



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[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 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.

(K K R K J)

05.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1. The Judicial Magistrate Court,
Tenkasi District.
2. The Superintendent, Sub Jail,
Tenkasi District.
3. The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.



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4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

K.K.RAMAKRISHNAN, J.

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Order made in
CrI.O.P(MD)No.4849 of 2026

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