



CRL OP(MD). No.5004 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CRL OP(MD)No.5004 of 2026

R.Saravanan

... Petitioner / Accused No.2

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
(Crime No.46 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 483 of the BNSS, 2023, to enlarge the petitioner on bail in Crime No.46 of 2026 on the file of the respondent police.

For Petitioner : Mr.K.P.Narayanakumar,
Advocate

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



CRL OP(MD). No.5004 of 2026

ORDER : The Court made the following order :-

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The petitioner, who was arrested and remanded to judicial custody on 19.02.2026 for the offences punishable under Sections 24(1) of the Cigarette and Other Tobacco Products Act, 2003 and Section 123 of the Bharatiya Nyaya Sanhita, 2023, 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 present case has been registered for the aforesaid offences.

3. The learned counsel appearing 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 has been in judicial custody from 19.02.2026 and that A1 and A3 have already released on bail in CrI.O.P.(MD) No.4650 of 2026, by order dated 27.02.2026, and in CrI.O.P.(MD) No.4849 of 2026, by order dated 05.03.2026, respectively. Hence, he seeks grant of bail to the petitioner.



CRL OP(MD). No.5004 of 2026

4. The learned Additional Public Prosecutor appearing for the respondent opposed the grant of bail to the petitioner and submitted that if the petitioner is released on bail, he may abscond and tamper with the evidence. Hence, he objected to the grant of bail to the petitioner.

5. This Court heard the learned counsel appearing on either side and perused the materials placed on record.

6. Considering the fact that A1 and A3 have already been released on bail and also taking into account the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. 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



CRL OP(MD). No.5004 of 2026

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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 Hon'ble Supreme Court in ***P.K.Shaji vs. State of***



CRL OP(MD). No.5004 of 2026

Kerala [(2005)AIR SCW 5560]; and

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

10.03.2026

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To

- 1.The Judicial Magistrate,
Tenkasi.
- 2.The Officer-in-Charge,
Sub-Jail,
Tenkasi.
- 3.The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.5004 of 2026

K.K.RAMAKRISHNAN,J.

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ORDER
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