



CRL OP(MD). No. 6048 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Prakash

2.Shanmuga Perumal.

...Petitioners/Accused-1,2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Keelaraja Kularaman Police Station,
Virudhunagar.

(Crime No. 88 of 2026)

...Respondent/Complainant

For Petitioners : Mr.G.Rajaguru
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 88 of 2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners / Accused, who were arrested and remanded to judicial custody on 11.03.2026 for the offences punishable under Sections 123 of BNS r/w Section 24(1) of COTPA Act in Crime No. 88 of 2026 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 11.03.2026, the petitioners were in illegal possession of 60 kgs banned tobacco products. Hence the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He would further submit that they have been arrested and remanded to judicial custody on 11.03.2026. Therefore, prayed to grant bail for the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that on 11.03.2026, the petitioners were in



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illegal possession of 60 kgs banned tobacco products. He would further submit that A1 has two previous case which are similar in nature and A2 has no previous case. He would further submit that the investigation is pending and the offences are grave in nature and hence, he strongly opposed to grant bail to the petitioners.

5. This Court heard both sides and perused the materials available on record.

6. Considering the rival submissions made by the learned counsel on either side, nature of offence and the quantity involved in this case and considering the fact that though A1 has two previous cases, in all cases, he was granted bail and A2 has no previous case and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of



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Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Rajapalayam, Virudhunagar, and on further conditions that:

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.

[c] the petitioners shall not commit any offence similar to the offence of which they are accused, or suspected, or of the commission of which they are suspected;

[d] the petitioners shall not abscond either during investigation or trial;

[e] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take



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appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

(P D B J)
27.03.2026

apd

To

- 1.The Judicial Magistrate, Rajapalayam, Virudhunagar.
- 2.The Inspector of Police,
Keelaraja Kularaman Police Station,
Virudhunagar.
3. The Superintendent, Sub Jail, Srivilliputhur.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
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