



CRL OP(MD). No. 6561 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2026

PRESENT

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CRL OP(MD) . No. 6561 of 2026

Krishnasamy ...Petitioner/A1

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.
(Crime No.41 of 2026)

...Respondent/Complainant

For Petitioner:Mr.R.Jagadeeshwaran
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 41 of 2026 on the file of
the respondent police.



CRL OP(MD). No. 6561 of 2026

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ORDER : The Court made the following order :-

The petitioner / A1, who was arrested and remanded to judicial custody on 12.03.2026 for the offences punishable under Section 123 of BNS r/w Section 6(b) r/w 24(1) of the Cigarettes and Other Tobacco Products Act, 2003 in Crime No. 41 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant used to purchase tobacco product from the petitioner's tea shop. It is alleged that the petitioner sold Ganesh Tobacco to the defacto complainant for a sum of Rs.60/-. After consuming the same, the defacto complainant allegedly fainted and subsequently, found that the petitioner sold expired tobacco product to him. Later, he lodged a complaint before the respondent police. Hence the case.

2/7



CRL OP(MD). No. 6561 of 2026

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has one previous case. Hence, he strongly opposed to grant bail to the petitioner.

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



CRL OP(MD). No. 6561 of 2026

6. Considering the rival submissions made by the learned counsel on either side, nature of offence, and considering the quantity involved in this case and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 No.II, Sivakasi, Virudhunagar District, and on further conditions that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;



CRL OP(MD). No. 6561 of 2026

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[c] the petitioner shall not commit any offence similar to the offence of which he/she is accused, or suspected, or of the commission of which he/she is suspected;

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

[e] the petitioner 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 appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the



CRL OP(MD). No. 6561 of 2026

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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].

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

02.04.2026

Rmk

To

- 1.The Judicial Magistrate No.II, Sivakasi.
- 2.The Officer-incharge
Sub Jail, Virudhunagar.
- 3.The Inspector of Police,
M.Pudupatti Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No. 6561 of 2026

L.VICTORIA GOWRI, J

Rmk

ORDER
IN
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