



CRL OP(MD). No. 6807 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Eswaran

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Amathur Police Station,
Virudhunagar.
(Crime No. 119 of 2026)

...Respondent/Complainant

For Petitioner : Mr.M.Beema Rao
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 119 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-



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The petitioner / Accused, who was arrested and remanded to judicial custody on 21.03.2026 for the offences punishable under Sections 123 of BNS r/w Section 6(b) and 24(1) of COTPA in Crime No. 119 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.03.2026, based on the secret information, when the respondent police were under patrol duty, they found that the petitioner and other accused were in illegal possession of 90 kgs banned tobacco products and further, based on the confession, the respondent police recovered 360 kgs of banned tobacco products. Totally, 450 kgs of banned tobacco products were recovered from the accused.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he was falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would further submit that A1 was granted anticipatory bail by this Court in Crl.O.P.(MD)No.6332 of 2026 on 01.04.2026. He would further submit that he has been arrested and remanded to judicial custody on



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21.03.2026. Therefore, prayed to grant bail for the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner and other accused were in illegal possession of 450 kgs of banned tobacco products. He would further submit that A1 was granted anticipatory bail by this Court and the petitioner has one previous case similar in nature. 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 petitioner.

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 considering the facts that the co-accused was granted anticipatory bail and though the petitioner has one previous case similar in nature, in that case the petitioner was granted bail and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to



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the following conditions:

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[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-II, Virudhunagar, and on further conditions that:

[b] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[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



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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 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.

(P D B J)
07.04.2026

apd

To

- 1.The Judicial Magistrate-II, Virudhunagar
- 2.The Inspector of Police,
Amathur Police Station,
Virudhunagar.
3. The Superintendent, District Jail, Virudhunagar.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 6807 of 2026

Date : 07.04.2026