



CRL OP(MD). No.7078 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.7078 of 2026

Vijayakumar

... Petitioner/Sole Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi,
Crime No.315/2026.

... Respondent/Complainant

PRAYER :-

For Bail in Crime No.315/2026 on the file of the respondent police

For Petitioner : A.Arun Ramnath,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to



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judicial custody on 29.03.2026 for the offences punishable under Sections 123 of BNS, 2023 equivalent to Section 328 of IPC and 24(1) of COTPA Act, in Crime No.315 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 28.03.2026 at about 05.30 p.m, the respondent police received a secret information and on receipt of the same, they went to the Muthukrishanpuram 2nd Stree, Thoothukudi, and made search in the petitioner's tea stall and found banned 91 pockets of tobacco products. Hence, the respondent police registered a case against him for the aforesaid offences and arrested him. Hence, this petition.

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 the petitioner has no previous case and he has been arrested and remanded to judicial custody on 29.03.2026. Therefore, prayed to grant bail for the petitioner.



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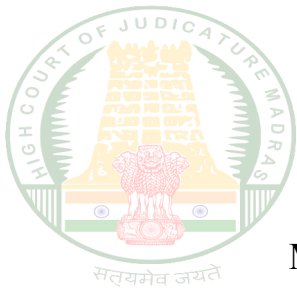
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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was found in illegal possession of banned tobacco products and hence, he strongly opposed to grant bail to the petitioner. However, he fairly conceded that no previous case is pending against 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 no previous case is pending against the petitioner and 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**



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Magistrate No.III, Thoothukudi, and on further conditions that:

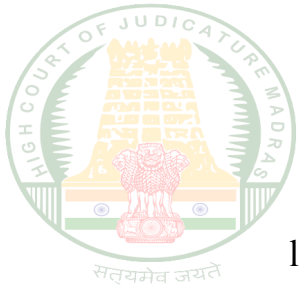
[b] the petitioner shall report before the **respondent police every Saturday at 10.30 a.m., for a period of 4 weeks and thereafter, as and when required for interrogation;**

[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 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



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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)
10.04.2026

dss



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P. DHANABAL,J

DSS

To

- 1.The Judicial Magistrate No.III, Thoothukudi.
- 2.The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi,
3. The Superintendent, District Jail, Peraorani, Thoothukudi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

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Date : 10/04/2026