



CRL OP(MD). No. 7310 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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Shanmugaiah ...Petitioner/Sole Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(Crime No.325 of 2026)

...Respondent/Complainant

For Petitioner:Mr.J.Mahesh Kumar
For Respondent:Mr.B.Nambi Selvan
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 325 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 petitioner/Sole accused, who was arrested and remanded to judicial custody on 27.03.2026 for the offences punishable under Section 123 of BNS, and Section 24(1) COTPA Act, in Crime No.325 of 2026 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that while the respondent Police were on patrol duty, based on the secret information, they intercepted the Motor Cycle Honda Shine at Elayarasaendal Road near Rathinakaliamman Temple and found that the petitioner was in illegal possession of 3060 pockets of tobacco products. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case and he

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is no way connected in the above said incident.

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He has not committed any offence as alleged by the prosecution. The petitioner has been arrested and remanded to judicial custody on 27.03.2026. Hence, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the investigation is pending and the petitioner has four previous cases and the part of the properties have been recovered. 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 fact that the petitioner has four previous cases, the same are



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not similar kind of offence, in all cases, he was granted bail and as the date of occurrence is 27.03.2026, by this time material part of the investigation might have been completed and also considering the period of incarceration undergone by the petitioner from 27.03.2026, 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, Kovilpatti, and on further conditions that:

[b] the petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation.



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[c] the petitioner shall not commit any offence similar to the offence of which she is accused, or suspected, or of the commission of which 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 petitioner released on bail by the learned



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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)

15.04.2026

vsg

To

1.The learned Judicial Magistrate No.II, Kovilpatti.

2.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

3.The Officer-in-Charge, Sub Jail, Kovilpatti.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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vsg

ORDER
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