



CRL OP(MD). No.10417 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Mahalingam

... Petitioner/Accused

Vs

The State of Tamilnadu,
Rep By, The Inspector of Police.
Thiruvaiyaru Police Station,
Thanjavur,
Cr.No.164 of 2026..

... Respondent/Complainant

For Petitioner : Mr.A.Sivasubramanian

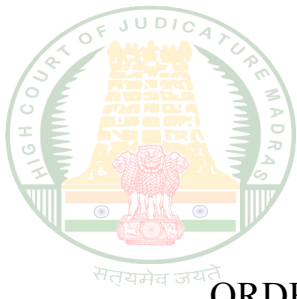
For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No.164 of 2026 on the file of the respondent police.

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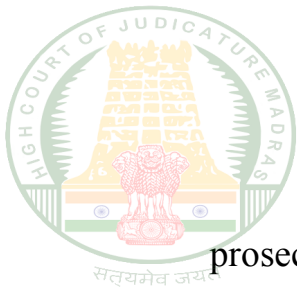
ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 21.05.2026 for the offences punishable under Sections 275, 123 of BNS and Sections 7(1) and 24(1) of the Cigarette and other Tobacco Products Act, 2003 in Crime No. 164 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 21.05.2026, the respondent police were in usual check and found that the vehicle bearing registration No.TN 68 AQ 0709 containing banned Tobacco products. On search they found that the accused persons were found in illegal possession of banned tobacco products weighing about 592.370 kgs and sale amount of Rs.10,000/- along with three mobile phones. Hence the case.

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



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prosecution. He would further submit that the alleged contraband were recovered by the prosecution and the petitioner was arrayed as an accused based on the confession of co-accused. The petitioner has been arrested and remanded to judicial custody on 21.05.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the accused persons were found in possession of banned tobacco products. The petitioner has previous cases at his credit. 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, the nature of the offence and the fact that the alleged contraband were recovered by the prosecution and the petitioner



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was arrayed as an accused based on the confession of co-accused and further considering the fact that though the petitioner has previous cases to his credit, he has already been granted bail in the previous cases pending against him, as well as 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, this Criminal Original Petition is allowed and 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, Thiruvaiyaru**, and on further conditions that:*

*[b] the petitioner 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 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;



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[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 him 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 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)
08.06.2026

PNM



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TO

1. The Judicial Magistrate, Thiruvaiyaru.
2. Do-Through The Chief Judicial Magistrate,
Thanjore District.
3. The Superintendent, Sub Jail, Thanjavur
4. The Inspector of Police.
Thiruvaiyaru Police Station,
Thanjavur,
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

PNM

ORDER
IN
CRL OP(MD) No.10417 of 2026

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