



CRL OP(MD). No.11277 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.11277 of 2026

Kumar

... Petitioner/Sole Accused

Vs

State of Tamilnadu Rep by
The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
Crime No. 134 of 2026.

... Respondent/Complainant

PRAYER :-

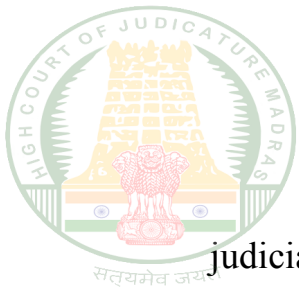
For Bail in Crime No. 134 of 2026 on the file of the respondent police.

For Petitioner : P.Sonu,
Advocate.

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

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to



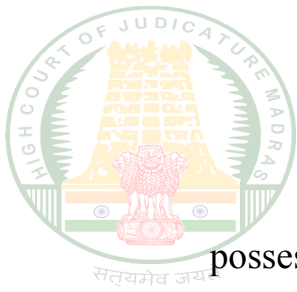
CRL OP(MD). No.11277 of 2026

judicial custody on 22.05.2026 for the offence punishable under Section 123 of BNS and 24(1) of COPTA Act, in Crime No.134 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 22.05.2026, at about 12.20 p.m, on secret information, the respondent police went to the departmental store of the petitioner and found that the petitioner was in illegal possession of banned tobacco products, namely, 17.1 kg of Ganesh Tobacco and 1.196 kg of Coollip. 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 prosecution. He would further submit that no previous case is pending against the petitioner and he has been arrested and remanded to judicial custody on 22.05.2026. Therefore, prayed to grant bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner was found in illegal



CRL OP(MD). No.11277 of 2026

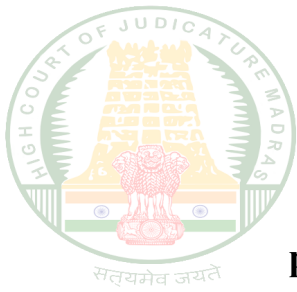
possession of 17.1 kg of Ganesh Tobacco and 1.196 kg of Coollip and the investigation is still pending. Hence, he strongly opposed to grant bail to the petitioner. He would further submit that the petitioner has no previous case.

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 the quantity of tobacco involved in this case and the petitioner has no previous case 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 Magistrate, Kuzhithurai**, and on further conditions that:

[b] **the petitioner shall report before the respondent**



CRL OP(MD). No.11277 of 2026

WEB COPY

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 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].



CRL OP(MD). No.11277 of 2026

[g] If the accused thereafter absconds, a fresh FIR can

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(P D B J)
17.06.2026

dss

To

- 1.The Judicial Magistrate, Kuzhithurai.
- 2.The Inspector of Police,
Kaliyakkavilai Police Station,
Kanyakumari District.
3. The Superintendent, Sub Jail Kuzhithurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.11277 of 2026

P. DHANABAL,J

DSS

ORDER
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