

CRL OP(MD). No.11513 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Santhana Nallajegan @ Siva

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police, Sivagiri Police Station,
Tenkasi District.
(In Crime No. 347/2022).

... Respondent/Complainant

For Petitioner : Mr.Jagadeeshwaran R,

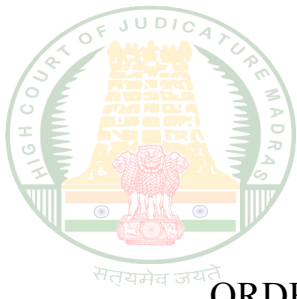
For Respondent : Mr.G.Ganesh Kumar,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 347 of 2026 on the file of the Respondent Police.

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ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on execution of NBW on 09.06.2026 for the offences punishable under Section 273, 328 IPC and Section 24(1) of COTPA Act, 2003 in Crime No. 347 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 05.10.2022 at about 07.45p.m., based on the secret information, when the respondent police were in patrol duty, they found that the accused persons allegedly found banned tobacco products namely Ganesh and Cool Lip. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner was already released on bail and since the petitioner has not turned up for the hearing, Non-Bailable Warrant (NBW) was issued and the same was executed on 09.06.2026 and he is still in judicial custody. He would further submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he



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prays to grant bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to non-appearance, the Non-Bailable Warrant was issued against the petitioner. He would further submit that the petitioner has 8 previous cases and if the petitioner released on bail, he may abscond, which would affect the trial. 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 already the petitioner was granted bail and thereafter, due to non-appearance, NBW was issued and that though the petitioner has previous cases to his credit, the petitioner has got bail in the previous cases registered against him as well as considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the



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petitioner subject to 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, Sivagiri** and on further conditions that:*

[b] the petitioner shall report before the respondent Police on every Saturday at 10.30a.m., for a period of four weeks.

[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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence;



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[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)
18.06.2026

PNM

TO

1. The Judicial Magistrate, Sivagiri
2. The Superintendent, Central Prison, Palayamkottai.
3. The Inspector of Police, Sivagiri Police Station, Tenkasi District.
4. 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.11513 of 2026

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