



CRL OP(MD). No.11779 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/06/2026

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Samuel

... Petitioner/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police, Vanniyampatti
Vilakku, Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No. 222 of 2021.

... Respondent/Complainant

For Petitioner : M/s.R.Ragavendran,

For Respondent : Mr.N.Balasubramanian,
Counsel for State of TN (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 222 of 2021 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 31.05.2026 for the offences punishable under Section 328 IPC and Sections 6(b) and 24(1) of COTPA Act in Crime No. 222 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that based on the secret information, when the respondent police were in patrol duty, they found that the accused persons were possessed with banned tobacco products in a Car bearing registration No.TN 36 AX 7819 and the same were seized. 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 31.05.2026 and he is still in judicial custody. He would further submit that the petitioner is innocent and he



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has not committed any offence as alleged by the prosecution. Hence, he prays to grant bail to the petitioner.

4. The learned Counsel for State of TN (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 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 as well as considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



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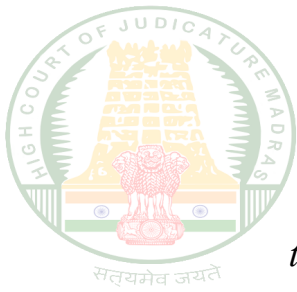
*[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur** and on further conditions that:*

*[b] the petitioner shall report before the learned **Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur, daily at 10.30 a.m., until further orders.***

[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



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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)
04.06.2026

PNM

TO

1. The Principal District and Sessions Judge,
Virudhunagar District at Srivilliputhur
2. The Superintendent, Sub Jail, Srivilliputhur
3. The Inspector of Police, Vanniyampatti Vilakku Police Station,
Srivilliputhur, Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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P. DHANABAL,J

PNM

ORDER
IN
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