



Crl.O.P.(MD)No.12358 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 12358 of 2026

1.Stephen

2.Selvakumar

...petitioners

Vs

State of Tamil Nadu rep. by

The Inspector of Police,

Eral Police Station,

Thoothukudi District.

(Crime No.259 of 2026)

...Respondent/Complainant

For petitioners : Mr.E.Jayakumar

Advocate

For Respondent : Mr.G.Ganesh Kumar

Government Advocate (Crl. Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Cr.No. 259 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who was arrested and remanded to judicial custody 10.06.2026 for the offence punishable under Sections 24(1) of Cigarettes and Other Tobacco Products Act and Section 123 of BNS, in Crime



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No.259 of 2026 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that when the defacto complainant went on inspection they found the accused persons along with banned tobacco products. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. Hence, he prayed bail for the petitioners.

4. The learned Government Advocate (crl. Side) appearing for the respondent would submit that the offence are grave in nature. The petitioners along with other accused persons are found in possession of banned tobacco products. The first petitioner has one previous case and the second petitioner has no previous case. Investigation is still pending. Hence, he opposed the grant of bail to the petitioners.

5. This Court heard both sides and perused the materials available on record.



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6. Considering the rival submissions made by the learned counsel on either side, considering the nature of charges levelled against the petitioners, considering the quantity involved in this case and though the first petitioner has one previous case, in that case already he was granted bail and the second petitioner has no previous case and considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Srivaikundam, Thoothukudi District**, and on further conditions that:

[b] the petitioners shall report before the respondent police, at 10.30 a.m., on every Saturday, for a period of four weeks, thereafter as and when required for interrogation;

[c] the petitioners 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 petitioners shall not abscond either during investigation or trial;

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 51730].

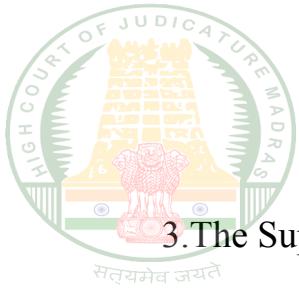
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(P D B J)
25.06.2026

TM

To

- 1.The Judicial Magistrate No.II, Srivaikundam, Thoothukudi District.
- 2.The Inspector of Police,
Eral Police Station,
Thoothukudi District. (Crime No.259 of 2026)



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3. The Superintendent, Central Jail, Palayamkottai.

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



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P. DHANABAL, J.

TM

ORDER
IN
CRL OP(MD) No. 12358 of 2026

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