



CRL OP(MD). No.13149 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/07/2026

PRESENT

The HONOURABLE **MR. JUSTICE K. RAJASEKAR**

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Athiyappan,
S/o.Athiyappan,
No.1/258, Palandi
Ambalam Nagar,
Rajakambeeram,
Othakadai,
Madurai District..

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep By,
The Inspector of Police,
Othakadai Police Station,
Madurai District.
Cr.No.238 of 2026..

... Respondent/Complainant

For Petitioner : Mr.Kannan.M,
Advocate.

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



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PETITION FOR BAIL Under Sec.483 of BNSS

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PRAYER :-

C-33B. For Bail in Cr.No.238 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 20.06.2026, for the offences punishable under Sections 123 of BNS and Section 6 of Cigarette and Other Tobacco Products Act, 2003, in Crime No.238 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 48 packets of banned tobacco products, weighing about 720 grams in the shop belongs to him. 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 the petitioner is in custody from 20.06.2026



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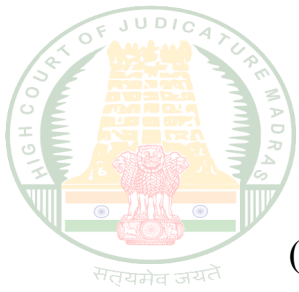
and ready to abide any condition imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Counsel for the State of TN (Crl. Side) appearing for the State reiterated the prosecution case and reported that the petitioner has two previous cases and the quantity involved in this case is a small quantity namely 720 grams. Investigation is still pending. He opposed the grant of bail to the petitioner.

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

6. Considering the facts and circumstances of the case, the nature of offence, that the petitioner has two previous cases, considering the quantity involved in this case and also considering the period of incarceration, I am inclined to grant bail to the petitioner subject to certain conditions.

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.20,000/-



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(Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate, Melur**, and on further conditions that:

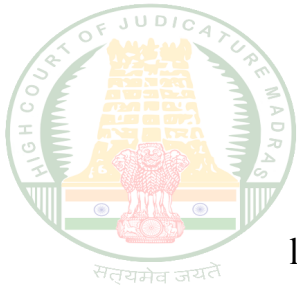
[b] the petitioner shall **report before the respondent police daily at 10.30 a.m., for a period of three weeks, thereafter as and when required for interrogation;**

[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



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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 51730].

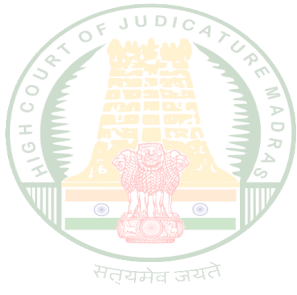
[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

(K R S J)
03.07.2026

vsg

TO

- 1.The learned Judicial magistrate, melur.
2. The Officer-in-Charge, Sub Jail, Melur.
- 3.The Inspector of Police,
Othakadai Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K. RAJASEKAR,J.,

vsg

ORDER
IN
CRL OP(MD) No.13149 of 2026

Date : 03/07/2026