



CRL OP(MD) NO. 23749 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2026

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 23749 of 2025

Joshva Raj

Petitioner(s)

Vs

The State of Tamil Nadu
Rep. by The Inspector of Police
Kayathar Police Station
Thoothukudi District.
Crime No. 447 of 2025

Respondent(s)

For Petitioner(s): Mr.E. Jayakumar

For Respondent(s): Mr.S.S.Manoj,
Government Advocate (crl. Side)

Prayer: For Bail in Crime No. 447 of 2025 on the file of the Respondent Police.

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.12.2025 for the offences punishable under Section 24(1) of Cigarette and other Tobacco Products Act and Section 123 of BNS, in Crime No. 447 of 2025, on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that the petitioner along with other accused persons had illegally transported 767 Kgs of banned Tobacco products. Hence, this case.

3. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court has already granted interim bail to the petitioner vide order, dated 19.12.2025.

4. The learned Counsel appearing for the petitioner submitted that the petitioner has already executed bond and sureties and submitted the same before the Trial Court, based on the earlier order, dated 19.12.2025. Further, the petitioner appeared before this Court and filed an undertaking affidavit stating that he will not Tobacco products in future.

5. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has already granted interim bail.

6. Therefore, this Court is inclined to grant bail to the petitioner. Hence, the earlier order, dated 19.12.2025, is made absolute. The sureties



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already submitted before the Trial Court shall hold good on further conditions

that,

a) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

b) the petitioner shall not tamper with evidence or witness;

c) the petitioner shall not abscond during trial;

d) On breach of any of the aforesaid conditions, the learned 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].

e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

08.01.2026

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1. The Judicial Magistrate Court-II, Kovilpatti, Thoothukudi District.
2. The Superintendent, Sub Jail, Kovilpatti, Thoothukudi District.
3. The Inspector of Police
Kayathar Police Station
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.