



CRL OP(MD). No.22547 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 19.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Jaffer Sathick @ Jaffar Sadik

2.Javid @ Mohamed Javid

3.Tamim Ansari @ Tamimul Ansari

... Petitioners/ Accused 1 - 3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
(Crime No.682 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.D.Venkatesh,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 220 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 123 of BNS, 2023 and Sections 6(a) and 24(1) of the Cigarette and other Tobacco Products Act 2003, in Crime No.682 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons were found in possession of 215 kilograms of banned tobacco products. The same was carried in a TATA ACE vehicle with the two-wheeler. The petitioners have been arrayed as A1 to A3.

3. The learned Government Advocate submitted that there are ten previous cases against A1 and there are no previous case against A2 and A3.

4. The learned counsel for the petitioner submitted that he will withdraw this petition insofar as A1 is concerned and hence, this petition is dismissed as withdrawn insofar as A1 is concerned.

5. Taking into consideration the facts and circumstances of the case and also considering the fact that there is no previous case against A2 and A3 and already entire tobacco products have been seized, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.I, Dindigul, on condition that the petitioners shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police every Monday, Wednesday and Friday at 10.30 a.m for a period of six weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
19/12/2024

/ TRUE COPY /

/01/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PKN

TO

1 THE JUDICIAL MAGISTRATE NO.I
DINDIGUL.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL

3 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.VENKATESH, Advocate (SR-15709[I] dated 20/12/2024)

ORDER
IN

CRL OP(MD) No.22547 of 2024

Date :19/12/2024

SS/SKN/SAR- /03/01/2025/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023