



CRL OP(MD). No.22655 of 2024

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

Date : 20.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.22655 of 2024

Umar Sudir Ahamed

...Petitioner/ Accused No.4

Vs

The State of
The Inspector of Police,
Perungudi Police Station,
Madurai District.
(Crime No.192 of 2024)

...Respondent/ Complainant

For Petitioner: Mr.S.Srikanth, Advocate
For Respondent : Mr.A.Albert James
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.192 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.4, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 123 of BNS and 24(1) of Cigarette and Other Tobacco Products Acts, 2003 in Crime No.192 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that A1 to A3 were found in possession of 313 Kgs of banned tobacco products. They were arrested and tobacco products were seized along with the vehicle. A1 confessed that the petitioner (A4) procured tobacco products from other States and sold to A1.

3.Heard the learned appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4.Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioner has been added as accused based on the confession of A1 and the entire tobacco products have already been seized and there are no previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

5.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirumangalam on condition that the petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:



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[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner 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 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]; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/12/2024

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



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TO

1 THE JUDICIAL MAGISTRATE
THIRUMANGALAM.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
PERUNGUDI POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.S.SRIKANTH, Advocate (SR-15774[I] dated 20/12/2024)

ORDER
IN
CRL OP(MD) No.22655 of 2024
Date :20/12/2024

PSP/ SKN /SAR /03.01.2025/ 4P/ 6C

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