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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.903 of 2025

Pandimeenal

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,,
Rep. by the Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
In Crime No. 786 of 2024.

... Respondent/Complainant

For Petitioner : Mr.S.Ramasamy,

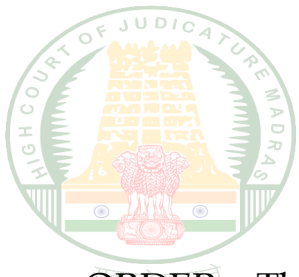
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.786 of 2024 on the file of the respondent
police.

<https://www.mhc.tn.gov.in/judis>



ORDER : The Court made the following order :-
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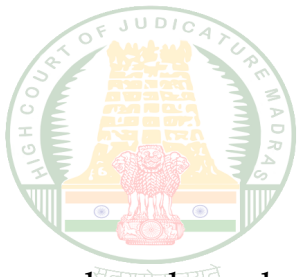
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 275 and 123 BNS (hereinafter referred to as new penal code) and Section 24(1) of Cigarette and Other Tobacco Products Act, 2003 in Crime No.786 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were found in possession of 10 kgs of banned tobacco products. There are totally two accused persons in this case and the petitioner has been arrayed A2 and she is the wife of A1.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the entire banned tobacco products have been seized and A1 was arrested and later released on bail by this Court in Crl.O.P(MD)No.692 of 2025 by an order dated 20.01.2025 and there are no previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

Accordingly, this criminal original petition is ordered and the petitioner is ordered to



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be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Kumbakonam, on condition that the petitioner 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 said Magistrate, on further condition that:

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

[b] the petitioner 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.

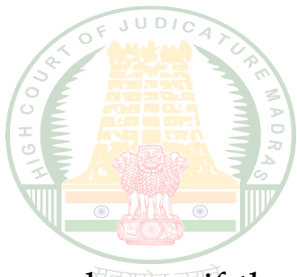
[c] the petitioner shall report before the respondent police as and when required for interrogation.

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

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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
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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;

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

sd/-
21/01/2025

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/02/2025

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

LR

TO

1 THE JUDICIAL MAGISTRATE NO.I,
KUMBAKONAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THANJORE
DISTRICT @ KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
KUMBAKONAM EAST POLICE STATION, THANJAVUR DISTRICT.

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



WEB COPY +1 CC to M/s.S.RAMASAMY, Advocate (SR-577[I] dated 21/01/2025)

ORDER
IN
CRL OP(MD) No.903 of 2025
Date :21/01/2025

NBF / SKN / SAR- (04/02/2025) 5P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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