



CRL OP(MD). No.2420 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2420 of 2025

R.Karuppasamy

... Petitioner/Sole Accused

Vs

The Sub Inspector of Police,
Vikramasingapuram Police Station,
Tirunelveli District.
Crime No. 43/2025.

... Respondent/Complainant

For Petitioner : Mr.G.Thiruvavutselvam, Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

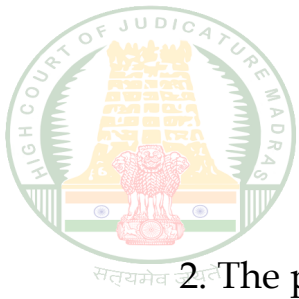
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.43 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 05.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.



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2. The petitioner apprehends arrest at the hands of the respondent Police for the offences punishable under Section 123 of the Bharatiya Nyaya Sanhita (BNS), 2023 r/w Section 24(1) of Cigarette and Other Tobacco Product Act, 2003 in Crime No.43 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on 23.01.2025, at about 12.00 p.m., near Chettimedu Bus stop, V.K.Puram, the defacto complainant, who is the Sub Inspector of Police, along with his police team, was conducting a vehicle check-up. During the inspection, they intercepted a two-wheeler, which was being ridden by the petitioner herein. At that point of time, the police noticed that the petitioner was transporting 15 pouches (each containing 22 packets) of prohibited tobacco products weighing a total of 4.950 kgs. On seeing the Police, the petitioner fled from the place on the same two-wheeler leaving the tobacco products. Hence, the complaint.

4. Mr.G.Thiruvartselvam, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that a false case has been registered against the petitioner. He further submits that he is ready to abide by any conditions to be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.R.Meenakshi Sundaram, learned Additional Public Prosecutor appearing for the respondent Police, submits that the petitioner has one previous case



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and the same is in similar nature. Hence, he vehemently opposes the grant of pre-arrest bail to the petitioner.

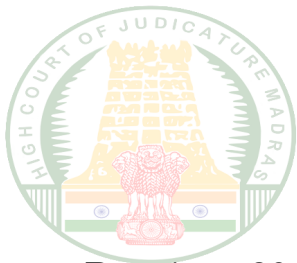
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6. The petitioner has permanent residence and deep roots in the society and hence, there is less possibility of absconding. With a view to give one more opportunity to the petitioner to reform himself in the society and taking note of the fact that the prohibited tobacco products have been seized by the respondent-Police, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District, within a period of fifteen days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District;

(ii) Thereafter, the petitioner shall appear and sign before the respondent Police weekly twice (i.e., on Monday and Friday) at 05.30 p.m., until further orders;

(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of



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Practice, 2019]'. The learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District, shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District ;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon-ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

7. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
07/02/2025

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/02/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



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TO
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1 THE JUDICIAL MAGISTRATE, AMBASAMUTHIRAM, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
VIKIRAMASINGAPURAM POLICE STATION, TIRUNELVELI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.2420 of 2025

Date :07/02/2025

RS/SKN/SAR-(19.02.2025) 5P 5C

Madurai Bench of Madras High Court is issuing
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