



CRL OP(MD). No.5221 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/03/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5221 of 2025

Kaleeswari,
W/o.Vijayakumar,
No. 163-2, Naal Road,
Puliyampatti, Palani Taluk,
Dindigul District..

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Keeranur Police Station,
Dindigul District.
Crime No.203 of 2024

... Respondent/Complainant

For Petitioner : Mr.D.Venkatesh,
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.5221 of 2025

PRAYER :-

For Anticipatory Bail in Crime no.203 of 2024 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 19.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 123 and 275 of the Bharatiya Nyaya Sanhita (BNS), 2023 r/w Sections 6 and 24(1) of Cigarette and Other Tobacco Products Act, 2003 in Crime No.203 of 2024 on the file of the respondent-Police.

3. The case of the prosecution is that on 15.11.2024, at about 12.00 p.m., near Naal road, Puliampatti, 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 one Mahindra Scorpio car bearing Registration No.TN-10-Z-5004 driven by the first accused. Subsequently, the respondent-Police conducted an inspection and found Accused Nos.1 and Accused No.2 / petitioner herein, who were standing nearby the car and discovered that they were carrying 12 packets of Ganesh Tobacco weighing about 180 gms, 11 packets of Hans weighing about 220 gms, four packets of Cool Lip weighing about 48 gms, 15 packets of Jivacut weighing about 270 gms and 34 packets of Vimal Pan Masala weighing about 68 gms.



CRL OP(MD). No.5221 of 2025

Thereafter, the respondent-Police seized the contraband from Accused No.1 Based on the confession of Accused No.1, the petitioner herein has been arrayed as Accused No.2. Hence, the complaint.

4. Mr.D.Venkatesh, 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 foisted against the petitioner. He further submits that she 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.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that there is no previous case against the petitioner. However, he further submits that the alleged contraband and the vehicle have been seized by the respondent-Police. He further submits that the custodial interrogation of the petitioner is necessary in this case. Hence, he vehemently opposes the grant of pre-arrest bail to the petitioner.

6. Considering the fact that the petitioner has no previous antecedents, and taking note of the fact that the petitioner has permanent residence and deep routes in the society, hence there is less possibility of absconding. Taking note of the fact that the prohibited tobacco products and the alleged car have been already seized by the respondent-Police and with a view to give an opportunity to the petitioner to reform



CRL OP(MD). No.5221 of 2025

herself in the society, this Court is inclined to grant an order of pre-arrest bail to the
WEB COPY
petitioner subject to the following conditions:

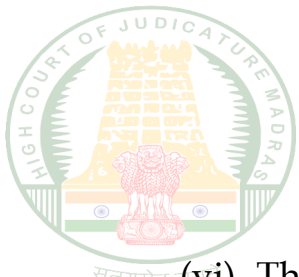
(i) The petitioner shall be released on pre-arrest bail in the event of her arrest or in the event of her surrender before the learned Judicial Magistrate, Palani, within a period of fifteen days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees 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, Palani;

(ii) 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 Practice, 2019']'. The learned Judicial Magistrate, Palani, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the respondent-Police weekly once (i.e., on Sunday) at 10.00 a.m., until further orders;

(iv) The petitioner shall make herself available for interrogation by a police officer as and when required;

(v) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate, Palani;



CRL OP(MD). No.5221 of 2025

WEB COPY

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

(vii) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any Police Officer;

(viii) The petitioner shall not leave India without the previous permission of the Court;

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Palani 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/-
21/03/2025

/ TRUE COPY /

/04/2025
Sub-Assistant Registrar (C.S.I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.5221 of 2025

TSG
WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE, PALANI.
 2. THE CHIEF JUDICIAL MAGISTRATE,
DINIDGUL DISTRICT.
 3. THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
DINDIGUL DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to D.VENKATESH Advocate SR.No.3401(I) DT. 25.03.2025

ORDER
IN

CRL OP(MD) No.5221 of 2025
Date :21/03/2025

PP//SAR-(15.04.2025) 6P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023