



CRL OP(MD). No.6329 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 17/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6329 of 2025

K. Nagoore Gani,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,,  
Rep. by the Inspector of Police,  
Thiruverambur Police Station,  
Trichy District.  
In Crime No. 135 of 2025.

... Respondent/Complainant

For Petitioner : Mr.B.Jameelarasu,  
Advocate.

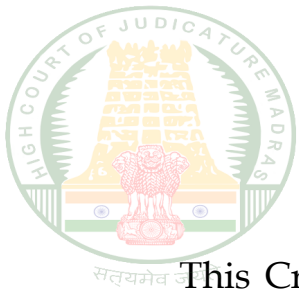
For Respondent : Mr.K.Sanjai Gandhi,  
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 135 of 2025 on the file of the respondent-Police.

ORDER : The Court made the following order :-



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This Criminal Original Petition has been filed by the petitioner on 03.04.2025 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 Section 123 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.135 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 22.03.2025, as per the direction of the Inspector of Police, Thiruverumbur Police Station, the Sub Inspector of Police, Thiruverumbur Police Station, and his team conducted a search near Manchathidal, Amman Nagar, Malaikovil, at Thiruverumbur, to prohibit illegal transporting and selling of banned tobacco products. At that time, based on the information, the respondent-Police made a search in Thiruverumbur union colony, and they found that the petitioner was standing in front of someone house with white bag, which is in illegal possession of 60 kgs of banned tobacco products, namely, 1.Hans Tobacco-162 bundles, 2.Coolip-24 bundles, 3.Vimal Pan masala-50 bundles 4. V1 tobacco-40 bundles. On seeing the police party, he escaped from the occurrence place leaving three white bags, which containing the above banned tobacco products. The respondent-Police thereafter seized the banned tobacco products from them. Hence,



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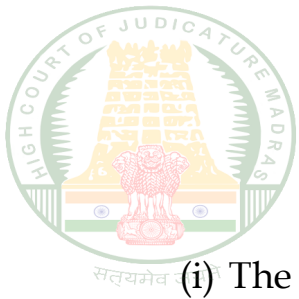
the case.

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4. Mr.B.Jameelarasu, 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 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.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that there are three previous cases pending against the petitioner, in which, one case was disposed of and other two cases are similar in nature. He further submits that the contraband has been seized by the respondent-Police. However, 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 roots in the society, hence there is less possibility of absconding. Taking note of the fact that the prohibited tobacco products have been already seized by the respondent-Police and with a view to give an opportunity to the petitioner to reform himself in the society, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:



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(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 Court No.VI, Trichy, 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.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned Judicial Magistrate Court No.VI, Trichy,;

(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 Court No.VI, Trichy, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the learned Judicial Magistrate Court No.VI, Trichy, daily at 05.30 p.m., until further orders;

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

(v) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate Court No.VI, Trichy,;

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

(vii) The petitioner shall not, directly or indirectly, make any inducement,



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threat or promise to any person acquainted with the facts of the case so as to  
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dissuade him 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 Court No.VI, Trichy, 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*.

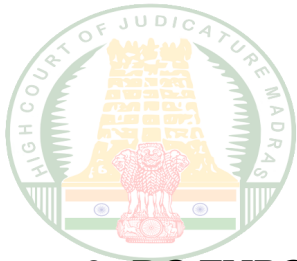
sd/-  
17/04/2025

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/05/2025  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

VSG  
TO

1.THE LEARNED JUDICIAL MAGISTRATE COURT NO.VI,  
TRICHY.



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2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE ,  
TRICHY

3. THE INSPECTOR OF POLICE, THIRUVERAMBUR POLICE STATION,  
TRICHY DISTRICT.

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

ORDER IN  
CRL OP(MD) No.6329 of 2025  
Date :17/04/2025

PP/20.05.2025 6P/5C

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