



CRL OP(MD). No.8705 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8705 of 2025

F.Sidhikmon,
S/o.Fasuludheen

... Petitioner/ A3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Puthukadai Police Station,
Puthukadai,
Kanyakumari District.
(Crime No.197 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Nimal.C.R.,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.197 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 123 of BNS, 2023 read with Sections 6(a) and 24(1) of the Cigarette and Other Tobacco Products Acts, 2003 in Crime No.197 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.04.2025, at about 4.30 p.m., the respondent police, along with other police officials, were on patrol near Marayapuram Four Road Junction. At that time, they noticed two vehicles carrying white sacks. Upon seeing the police, the drivers of the vehicles attempted to flee from the spot, but were apprehended by the police. Upon inspection, the respondent police found that the accused were in illegal possession of 605 packets of Ganesh tobacco, each containing 225 grams, and 693 packets of Cool Lip Filter tobacco, each containing 95.76 grams. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the occurrence as alleged by the prosecution. The petitioner is merely the owner of one of the vehicles. He however submits that the petitioner is willing to abide by any conditions to be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the petitioner has been arrayed as A3 in this case, and that A1 and A2 were arrested and



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subsequently released on bail. He further submitted that the entire contraband have been seized and the value of the same is Rs.2,37,000/-. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking note of the fact that the co-accused were arrested and subsequently released on bail, and that the entire contraband have already been recovered, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his 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 No.II, Kuzhithurai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.II, Kuzhithurai and on further conditions that:

(a) 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;

(b) the petitioner shall deposit a sum of Rs.20,000/- (Rupees Twenty



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Thousand only) to the credit of the Mediation and Conciliation Centre, Madurai Bench of Madras High Court, Madurai, as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.II, Kuzhithurai shall accept the sureties furnished by the petitioner;

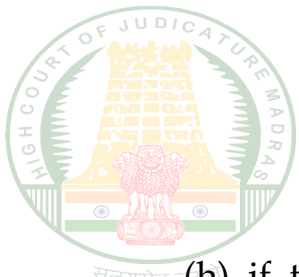
(c) the petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.II, Kuzhithurai. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Kuzhithurai;

(d) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond either during investigation or trial;

(g) 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;



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(h) if the accused thereafter abscond, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
23/06/2025

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/07/2025
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 NO.II, KUZHITHURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE, PUTHUKADAI POLICE STATION, PUTHUKADAI, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

copy to
THE CO-ORDINATOR,
MEDIATION AND CONCILIATION CENTRE, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI. (Soft Copy)

ORDER
IN
CRL OP(MD) No.8705 of 2025
Date :23/06/2025

NBF/04.07.2025 5P/5C

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