



CRL OP(MD). No.9650 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9650 of 2025

Gopi,
S/o.Selvam

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
K.Pudhur Police Station,
Madurai District.
(Crime No.630 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.C.Deepakkumar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.630 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 274 and 123 of BNS, 2023 r/w. Section 24(1) of Cigarette and Other Tobacco Product Act, 2003 in Crime No.630 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 24.12.2024, at about 23.15 hours, while the respondent police were conducting a vehicle check up, they intercepted a BOLERO PICKUP bearing Registration No.TN-93-E-8664 and TATA ACE GOLD bearing Registration No.TN-93-C-0428, in which 1000 bundles, each containing 15 Nos. of Ganesh Tobacco Products, were found. The vehicles and tobacco products were seized from one Palanisamy (A1). Thereafter, based on the confession statement of A1, on 25.12.2024, at about 02.45 hours, the respondent police went to Melur, where they found a Swift Car bearing Registration No.TN-93-F-9762. On seeing the police, the accused person in the car fled away from the scene, leaving the car behind. The respondent police further found that A3 and A4 were in possession of 3250 bundles, each containing 15 Nos. of Ganesh Tobacco Products, 560 bundles, each containing 8 Nos. of Cool Lip Tobacco Products, 800 bundles, each containing 30 Nos. of Vimal Panmasala Tobacco Products, and 800 bundles of V1 Panmasala Tobacco



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Products in a Eacher Lorry bearing Registration No.KA-04-AB-5492. All the tobacco products and vehicles were seized by the police, and the accused persons present at the scene of occurrence were arrested. On investigation, this petitioner has been implicated in this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. He further submitted that the petitioner is working as a Sipoy in Indian Army. Hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl. side) submitted that there are totally eight accused persons in this case and the petitioner has been arrayed as A1. A2 to A5 and A7 were arrested and subsequently released on bail, and A6 has been granted anticipatory bail by this Court. He further submitted that the entire properties have been recovered. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the nature of the offence, and taking note of the fact that the entire properties have already been recovered, and that as the date of occurrence is 24.12.2024, by this time most of the investigation might have been completed, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.6, Madurai, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.6, Madurai, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 furnish his residential address and mobile number to the learned Judicial Magistrate No.6, Madurai. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.6, Madurai;

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



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(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 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/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
26/06/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MKN

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TO

- 1 THE JUDICIAL MAGISTRATE NO.6
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
- 3 THE INSPECTOR OF POLICE,
K.PUDHUR POLICE STATION,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9650 of 2025
Date :26/06/2025

SS/SAR- /09/07/2025/ 6P/5C

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