



CRL OP(MD).No.10720 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 26/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.10720 of 2025

M.Mohemed Ishk @ Mohamedishak .. Petitioners/ Accused No.2

Vs

State of Tamil Nadu,
Rep by The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
(Cr.No.140 of 2025)

.. Respondent/ Complainant

For Petitioner : Mr.K.Dinesh

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.140 of 2025 on the file of the Respondent Police.
ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police
for the offences punishable under Sections 274 and 123 of BNS and 24(1) of Cigarette



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and Other Tobacco Products Act, 2003, in Crime No.140 of 2025 on the file of the
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respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 12.06.2025 at afternoon 02.00 p.m., the respondent police in vehicle checkup, at that time, they have intercepted the 1st accused and recovered from his bag nearly 1.920 kgs of 128 pockets of Ganesh Prohibited Tobacco Products and on his confession, the respondent went to one Raja's house and recovered 125 kgs of Tobacco products. Further, the said Raja has confessed that he had bought the same from this petitioner. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that based on the confession of co-accused, the petitioner was falsely implicated in this case and co-accused had already been arrested and thereafter he released on bail by the Judicial Magistrate Court, Singampunari. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that the property has been recovered and there is no previous case pending as against the petitioner. He further submitted that the investigation is almost completed.



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However, he vehemently opposed for grant of anticipatory bail to the petitioner.

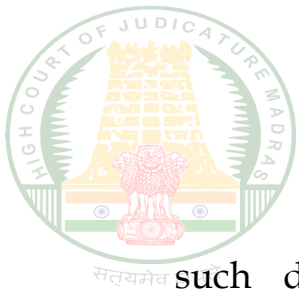
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5. Considering the facts and circumstances of the case and also the fact that the property has also been recovered and the material part of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioner, 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 Judicial Magistrate, Singampunari, Sivagangai District, 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 Judicial Magistrate, Singampunari, Sivagangai District, 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 make a non refundable deposit of Rs.30,000/- (Rupees Thirty Thousand only) to M.S.Chellamuthu Trust and Research Foundation, Current Account No.11194450660, IFSC Code No.SBIN0001479, MICR No.625002006 in the State Bank of India, Vinayaganagar Branch No.8, Dr.Ambedkar Road, Madurai - 20, and on



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such deposit being made, the Judicial Magistrate, Singampunari, Sivagangai District, shall accept the sureties furnished by the petitioner;

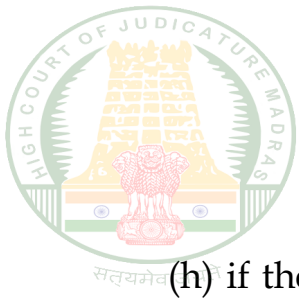
(c) the petitioner shall furnish his residential address and mobile number to the Judicial Magistrate, Singampunari, Sivagangai District. In the event of any change in his residential address, the petitioner shall report the same to the Judicial Magistrate, Singampunari, Sivagangai District,;

(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/-
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.

msrm

To

1 THE JUDICIAL MAGISTRATE,
SINGAMPUNARI, SIVAGANGAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.

3. The Inspector of Police,
Singampunari Police Station,
Sivagangai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:

The Officer incharge,

M.S.Chellamuthu Trust and Research Foundation,
Vinayaganagar Branch No.8, Dr.Ambedkar Road, Madurai - 20,

+1 CC to M/s.K.SHEENIVASAN, Advocate (SR-6817[I] dated 26/06/2025)



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ORDER
IN
CRL OP(MD) No.10720 of 2025
Date :26/06/2025

MK/08.07.2025 6P/7C

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