



CRL OP(MD).No.12930 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P. VADAMALAI

CRL OP(MD).No.12930 of 2025

A.Abbas Sheriff,
S/o.Abubakker Sheriff,

...Petitioner/ Accused No.2

Vs

The State of TamilNadu
rep.by The Inspector of Police,
S.S.Colony Police Station,
Madurai City.
(Crime No.403 of 2025)

... Respondent/Complainant

For Petitioner : M/s.Manoj Prabhakar
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.403 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 6 (a) r/w.24 of Cigarette and other Tobacco



CRL OP(MD).No.12930 of 2025

WEB COPY

Products Act r/w. Section.77 of Juvenile Justice Act in Crime No.403 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that based on secret information, on 05.07.2025 at about 8.30hrs, the respondent police conducted surveillance, at that time, the first accused said to have carried a bag and stand in a suspicious manner, the respondent police intercepted him and made a search and they found that the accused was in illegal possession of 13 packets of banned tobacco products. Hence, the case.

3. The learned counsel for the petitioner would submit that this petitioner was falsely implicated in the said case. Based on the confession statement of first accused, this petitioner was arrayed as Accused No.2. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide 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) would submit that the first accused was in illegal possession of banned tobacco products. Based on the confession statement of first accused, this petitioner was arrayed as Accused No.2. In this case, A1 was enlarged on bail by the learned Principal Sessions Judge, Madurai in Crl.M.P.No.3113/2025 dated 19.07.2025. The entire properties were seized by the respondent police. There is no previous case against this petitioner. Hence, he



CRL OP(MD).No.12930 of 2025

opposed to grant anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case, the Accused No.1 was enlarged on bail by the learned Principal Sessions Judge, Madurai in Crl.M.P.No.3113/2025 dated 19.07.2025, the entire properties were recovered, there is no previous case against this petitioner, 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 anticipatory 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.V, Madurai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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.V, Madurai, 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 furnish his residential address and contact number to the learned Judicial Magistrate No.V, Madurai. In the event of any change in his



CRL OP(MD).No.12930 of 2025

WEB COPY

residential address, the petitioner shall report the same to the learned Judicial Magistrate No.V, Madurai;

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

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

sd/-
05/08/2025

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



CRL OP(MD).No.12930 of 2025

- 1.The Judicial Magistrate No.V, Madurai.
 - 2.The Inspector of Police,(L&O), S.S.Colony Police Station, Madurai city.
 - 3.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.R.MANOJ PRABHAKAR, Advocate (SR-8493[I] dated 06/08/2025)

ORDER
IN
CRL OP(MD) No.12930 of 2025
Date :05/08/2025

NBF/SAR- /26/08/2025/ 5P/5C

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