



CRL OP(MD). No.13046 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.13046 of 2025

Manickam,
S/o.Periyasamy

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by, the Inspector of Police,
Vathalai Police Station,
Trichy District.
(Crime No.153 of 2025)

... Respondent/Complainant

For Petitioner : Mr.Haroon Rasheed D.S.,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.153 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6 and 24(1) of Cigarette and Other Tobacco Products Acts, 2003 r/w. Section 123 of BNS, 2023 in Crime No.153 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 03.05.2025, at about 2.00 p.m., the de-facto complainant, who is the Food Safety Officer, along with other officials, visited a petty shop and found the accused in possession of 5.700 kilograms of banned tobacco products. Hence, the present case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and is in no way connected with the alleged occurrence as stated by the prosecution. He has been falsely implicated in this case. He, however, submitted that the petitioner is willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl. side) submitted that the petitioner is the sole accused in this case. The entire properties have been recovered. He further submitted that there are no previous cases registered against the petitioner.



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However, he opposed to grant anticipatory bail to the petitioner.

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5. Taking into consideration of the facts and circumstances of the case, the nature of the offence, and also taking note of the fact that the entire properties have already been recovered, and that there are no previous cases registered against the petitioner, and that as the date of occurrence is 03.05.2025, by this time most 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 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, Musiri, 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 the police officer who intends to arrest or to the satisfaction of the learned Judicial Magistrate, Musiri, 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 deposit a sum of Rs.7,000/- (Rupees Seven Thousand



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only) to the credit of the Women Advocates' Association, Madurai Bench of
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Madras High Court, Madurai, Indian Bank, Account No.770357420, IFSC Code:
IDIB000H040, High Court Branch, Madurai, as Non-refundable deposit and on
such deposit being made, the learned Judicial Magistrate, Musiri shall accept the
sureties furnished by the petitioner;

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

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

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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,
Musiri.

2.The Inspector of Police,
Vathalai Police Station,
Trichy District.

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

COPY TO:

The Officer Incharge,
women Advocates Association,
Madurai Bench of Madras High Court, Madurai.



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ORDER
IN
CRL OP(MD) No.13046 of 2025
Date :06/08/2025

PS/SAR.26.08.2025 6P/5C

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