



CRL OP(MD). No.13399 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.08.2025

PRESENT

The Hon`ble Mr.Justice P.VADAMALAI

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Bhera Ram Patel

... Petitioner/ Accused

Vs

The State of Tamilnadu rep. by its
The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No.132 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.M.Karuppasamy,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Section 482 B.N.S.S.

PRAYER :-

For Anticipatory Bail in Crime No.132 of 2025 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 6(b) and 24(1) of Cigarette and Other Tobacco Products Acts 2003 and Sections 275 and 123 BNS, 2023 in Crime No.132 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.06.2025, the respondent police intercepted a Skoda Laura car bearing Registration No.TN-37-AV-1901 and found that the petitioner along with other accused had illegally transported banned tobacco products worth about Rs.1,31,964/-. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution and that the petitioner is no way connected with the case, a false case has been lodged as against the petitioner. 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) appearing for the respondent police would submit that there are totally three accused, the petitioner was arrayed as A1, that the petitioner and the other accused were found in illegal possession of banned tobacco products and that the properties were recovered by the



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respondent police. He would further submit that the petitioner is not having any previous cases. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and also considering the facts that the properties have already been recovered and that the petitioner is not having any bad antecedents and taking note of the fact that by this time 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 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 Judicial Magistrate, Aundipatti, Theni 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, Aundipatti, Theni 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 furnish his residential address and contact number to



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the learned Judicial Magistrate, Aundipatti, Theni District. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate, Aundipatti, Theni District;

(c) the petitioner shall deposit a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** to the credit of Environmental Committee operated by Registrar (Judicial) Account No.7633863037, MICR Code: 625019020, CIF No.30602376727, IFSC Code IDIBH040, High Court Branch, Madurai, without prejudice to his right and contentions before the trial Court as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate, Aundipatti, Theni District, shall accept the sureties furnished by the petitioner;

(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



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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/-
12/08/2025

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

csn
TO

- 1 The Judicial Magistrate, Aundipatti, Theni District.
- 2 The Inspector of Police, Kadamalai Kundu Police Station, Theni District.
- 3 The Section Officer, Accounts Section, Madurai Bench of Madras High Court, Madurai.
- 4 The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.KARUPPASAMY, Advocate (SR-8711[I] dated 12/08/2025)

ORDER
IN
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Date :12/08/2025

NBF/02/09/2025/ 5P/6C

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