



CRL OP(MD).No.13829 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD).No.13829 of 2025

Asrafali,
S/o.Sheik Abdula

.. Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thillainagar Police Station,
Trichy city.
(Crime No.415 of 2025)

.. Respondent/ Complainant

For Petitioner :Mr.K.M.Karunakaran
Advocate

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.415 of 2025 on the file of the Respondent Police.



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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 275, 123 of BNS and 24(1) of Cigarette & other Tobacco Products Act, 2003 in Crime No.415 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 12.08.2025, the respondent police were conducted raid, at that time, the respondent police found the illegal possession of prohibited tobacco products. Hence, the case.

3. The learned counsel for the petitioner would submit that the respondent police lodged a false case against this petitioner. 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 at the time of raid the respondent police found illegal possession of banned tobacco products. The entire tobacco products were seized by the respondent police. There is no previous case against this petitioner. However, he opposed to grant anticipatory bail to the petitioner.



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5. Considering the facts and circumstances of the case and considering the fact that the entire properties were seized by the respondent police, by this time most of the investigation might have been completed, 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.4, Trichy 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.4, Trichy 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 deposit a sum of Rs.2000/- (Rupees Two Thousand only) to the credit of the Women Advocates' Association, Madurai Bench of Madras High Court, Madurai, Indian Bank, Account No.770357420, IFSC Code:



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IDIB000H040, High Court Branch, Madurai, without prejudice to his rights and contentions before the trial Court as Non-refundable deposit and on such deposit being made, the learned Judicial Magistrate No.4, Trichy, shall accept the sureties furnished by the petitioner.

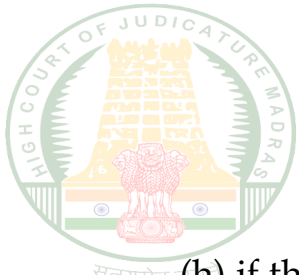
(c) the petitioner shall furnish his residential address and contact number to the learned Judicial Magistrate No.4, Trichy. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.4, Trichy;

(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.

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21/08/2025

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

gvn

TO

- 1 The Judicial Magistrate No.4,
Trichy.
- 2 The Inspector of Police,
Thillainagar Police Station,
Trichy City.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO
The Secretary,
The Women Advocates' Association,
Madurai Bench of Madras High Court,
Madurai.



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+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-9051[I] dated 21/08/2025)

ORDER
IN
CRL OP(MD) No.13829 of 2025
Date :21/08/2025

AS/11.09.2025/6P/6C

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