



CRL OP(MD). No.18702 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/10/2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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M.Muthu Pandi

... Petitioner/Accused

Vs

The State of Tamil Nadu
Rep.By, the Inspector of Police,
Villoor Police Station,
Madurai District.
(Crime No.40 of 2023)

... Respondent/Complainant

For Petitioner : Mr.A.Azhageson
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.40 of 2023 on the file of
the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 328 IPC read with Section 24(1) of the Cigarette and Other Tobacco Products Act, 2003 (Transport), in Crime No.40 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons had transported banned tobacco products. 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 A1, the petitioner was falsely implicated in this case. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory to the petitioner.



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4. The learned Government Advocate (Criminal Side) submitted that there are no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the property has been recovered and there are no previous case pending against the 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 bail in the event of arrest or on his appearance, 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 learned District Munsif cum Judicial Magistrate, Peraiyur, within a period of fifteen days from the date of receipt of a copy of this order 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 Aadhaar



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card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrrrogation.

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]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 is 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



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[(2005)AIR SCW 5560].

[f]If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of BNS.

(S S Y J)
27.10.2025

msrm

To

- 1.The learned District Munsif cum Judicial Magistrate,
Peraiyur.
- 2.The Inspector of Police,
Villoor Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

msrm

**ORDER
IN
CRL OP(MD) No.18702 of 2025**

27.10.2025