



CRL OP(MD). No.19355 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/11/2025

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.19355 of 2025

Navaneethan

... Petitioner/Accused No.2

Vs

The State of Tamilnadu,
Rep. By,
The Inspector of Police
Vanniyampatti Vilakku Police Station,
Virudhunagar District.
Crime No.158 of 2024.

... Respondent/Complainant

For Petitioner : Mr.R.J. Karthick Jaganathan

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.158 of 2024 on the file of the
Respondent Police.

1/6



CRL OP(MD). No.19355 of 2025

WEB COPY

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 123 of BNS and 6(b), 24(1) of Cigarette and Other Tobacco Products Act, 2003, in Crime No.158 of 2024 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 was in illegal possession of banned tobacco products. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioner along with other accused



CRL OP(MD). No.19355 of 2025

persons was in illegal possession of 120 kgs of tobacco products and that five previous cases of a similar nature are pending against the petitioner.

Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the nature of allegation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court No.II, Srivilliputhur, 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 Magistrate concerned and on further conditions that:



CRL OP(MD). No.19355 of 2025

WEB COPY

(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 make a non refundable deposit of Rs.7,000/- (Rupees Seven Thousand only) to the credit of the Madras High Court Madurai Bench Advocate Clerk's Welfare Association, Madurai, in the Indian Bank, High Court, Madurai Branch, Account No.496039124 IFSC No.IDIB000H040, without prejudice to his contentions and rights before the trial Court. Only on such deposit, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner;

(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



CRL OP(MD). No.19355 of 2025

WEB COPY

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 petitioners 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.

(S S Y J)
04.11.2025

jbr

TO

1. The Judicial Magistrate Court No.II,
Srivilliputhur.
2. The Inspector of Police,
Vanniyampatti Vilakku Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL OP(MD). No.19355 of 2025

S.SRIMATHY,J

jbr

ORDER
IN
CRL OP(MD) No.19355 of 2025

Date : 04/11/2025