



CRL OP(MD)No.19920 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 12.11.2025

PRESENT

THE HON'BLE MRS JUSTICE S.SRIMATHY

CRL OP(MD)No.19920 of 2025

Muthaiahsamy

... Petitioner/
Accused No.2

Vs

The State of Tamil Nadu
Represented by
The Sub Inspector of Police,
Pavoorchatram Police Station,
Pavoor Chatram,
Tenkasi District.
Crime No. 463 of 2025

... Respondent/
Complainant

For Petitioner : Mr.K.Vinayagan

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.463 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 123 of BNS and Section 24(1) of the Cigarette and Other Tobacco Products Act, 2003, in Crime No.463 of 2025 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 37 Kg of banned tobacco and 49 Kg of “Ganesh 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 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.



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 Judicial Magistrate Court, Tenkasi, 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 card or bank pass book to ensure their identity;

[b] the petitioner shall make a payment of



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Rs.5,000/- (Rupees Five Thousand only) in favour of “the Headmaster, Government Model Girls Higher Secondary School, Y.Othakkadai, Madurai, in SBI Account No.10968750674, IFSC No.SBI0002246, State Bank of India, Y.Othakkadai, Madurai. This fund shall be utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under "Namakku Naame" Scheme. After payment, the petitioner shall produce the receipt/ acknowledgement before the concerned Court along with surety affidavit;

[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 the 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 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



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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].

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

(S S Y J)
12.11.2025

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TO

1. The Sub Inspector of Police,
Pavoorchatram Police Station,
Pavoor Chatram,
Tenkasi District.
2. The Judicial Magistrate Court,
Tenkasi.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Headmaster,
Government Model Girls Higher Secondary School,
Y.Othakkadai, Madurai.



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S.SRIMATHY,J.

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