



CRL OP(MD). No.20981 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.11.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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Velmurugan

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Eppodumvendran Police Station,
Thoothukudi District.
(Crime No.263 of 2025)

... Respondent/Complainant

For Petitioner : Mr.M.Prabhakaran

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.263 of 2025 on the file of the
respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 132, 351(3) of BNS, 2023 and Section 24(1) of Cigarette And Other Tobacco Product Act, in Crime No.263 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the other accused persons were found in illegal possession of banned tobacco products and on enquiry, they informed the police that the said products were purchased from the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted 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 Additional Public Prosecutor appearing for the respondent Police submitted that A-2 and A-3 have already been



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arrested, and A-1 and A-4 are absconding. He further submitted that two previous cases are pending against the petitioner. Therefore, he opposed the 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 offence, 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, Ottapidaram, 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:



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(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.5,000/- (Rupees Five Thousand only) to the credit of the Headmaster, Masathiyar Cor. Higher Secondary School, Vaikkolkara Theru, Chinnakadai Veethi, South Gate, Madurai, Central Bank of India, South Gate Branch, Account No.P.T.A.FUND SB.1833321714, IFSC No.CBIN0281503, MICR Code: 625016004, without prejudice to his contentions and rights before the trial Court. On such deposit being made, 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. He has to co-operate for the investigation;

(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;



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(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 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)
21.11.2025

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To

1. The Judicial Magistrate, Ottapidaram.
2. The Inspector of Police,
Eppodumvendran Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J.

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ORDER
IN
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