



CRL OP(MD). No.521 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/01/2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.521 of 2026

Mugamad Abdulla @ Mohammed Abdullah
@ Abdullah

... Petitioner

Vs.

State of Tamilnadu Rep by
Inspector of Police,
Thiruvonam, Police Station,
Thanjavur District.
(Crime No.264/2024.

... Respondent

PRAYER :- For Anticipatory bail in Crime No.264 of 2024 on the file of the Respondent Police.

For Petitioner : Mr.D.Rameshkumar,
Advocate.

For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl.Side)

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 and 123 BNS r/w. Sections 7(1), 24(1) of Cigarette and other Tobacco Act, 2003, in Crime No.264 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that on 27.10.2024, the accused were illegally found in possession of banned tobacco products, viz., hans, coolip. Hence, a case has been registered as against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he has not committed any offence. He seeks this Court to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the offences committed by the petitioner are serious in nature and the petitioner has six previous cases, which are similar in nature.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, this Petition is allowed and 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, Orathanadu, Thanjavur District, 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 alone shall make a non refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the “District Siddha Medical Officer, CCRI, Periyakulam” (Account No. 10767823177, IFSC Code: SBIN0000898, MICR Code: 625002601), without prejudice to his contentions and rights before the trial Court, and on such deposit being made, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner;



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[c]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 interrogation.

[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 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.

09.01.2026

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TO

1. The Judicial Magistrate,
Orathanadu,
Thanjavur District.
2. The Inspector of Police,
Thiruvonam Police Station,
Thanjavur 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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Date : 09/01/2026