



CRL OP(MD). No.343 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21.01.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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S.Sakthimurugan

... Petitioner/Accused

Vs

The State of Tamil Nadu
Rep.By, the Sub Inspector of Police,
Malli Police Station,
Virudhunagar District.
(Crime No.105 of 2025)

... Respondent/Complainant

For Petitioner : Mr.J.Vimal Pandian
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.105 of 2025 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 123 of BNS (Corresponding Section 328 of IPC) r/w Section 6(b) and 24(1) of COTP Act, in Crime No.105 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 were found in illegal possession of banned tobacco products worth about of Rs.30,100/-. 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 co-accused, the petitioner was falsely implicated in this case. He further submitted that the petitioner had written an affidavit of undertaking before this Court stating that he will not sell any banned tobacco products and will not commit such an offence in future. He further submitted that the petitioner is ready and willing to abide by any



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conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crk.Side) submitted that there are six previous cases pending against the petitioner and the property has been recovered. 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 also considering the written affidavit of undertaking filed by 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 Judicial Magistrate No -II, Srivilliputhur, within a period of fifteen days from the date on which the order copy was made ready and



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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 report before the respondent police daily at 10.30 a.m., until further orders.

[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



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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].

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

(S S Y J)
21.01.2026

msrm

To

- 1.The learned Judicial Magistrate No-II,
Srivilliputhur.
2. The Sub Inspector of Police,
Malli Police Station,
Virudhunagar 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
CRL OP(MD). No.343 of 2026**

21.01.2026