



CRL OP(MD). No.2541 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/02/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.2541 of 2026

Ashif Ali Kelassery

... Petitioner/Accused

Vs

The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Tuticorin Regional Unit,
Tuticorin - 628001.

F.No. DRI/CZU/TTN/VIII/48/07/INT-01/2025.

... Respondent/Complainant

For Petitioner : Mr.A.Ganesh

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

For Intervenor : Mr.S.Gurusamy



CRL OP(MD), No.2541 of 2026

WEB COPY

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

To enlarge the petitioner on bail in F.No.DRI/CZU/TTN/VIII/48/07/INT-01/2025 on the file of the Directorate of Revenue Intelligence, Tuticorin.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 27.12.2025 for the offences punishable under Section 135 of Customs Act r/w. PECA Act, in F.No. DRI/CZU/TTN/VIII/48/07/INT-01/2025 on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner, along with the other accused, was in possession of 45,984 e-cigarettes along with the declared cargo of umbrellas. 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 in judicial custody from 27.12.2025. Hence, he seeks bail to the



CRL OP(MD), No.2541 of 2026

petitioner.

WEB COPY

4. The learned Additional Public Prosecutor submitted that the offences committed by the accused are serious in nature. Therefore, he vehemently opposed for grant of bail to the petitioner.

5. The petitioner submitted he is neither the importer nor the recipient of the goods. Further the investigation is over and only show cause notice ought to be issued.

6. Considering the nature of the offence and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on executing 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 Chief Judicial Magistrate, Madurai, and on further conditions that :-



CRL OP(MD), No.2541 of 2026

[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. According to the petitioner, the Department has recovered the petitioner's passport; if not, the petitioner is directed to surrender the same. The petitioner shall not travel abroad without the prior permission of the concerned Court.

[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 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



WEB COPY



CRL OP(MD), No.2541 of 2026

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 BNS.

(S S Y J)
11.02.2026

jbr

TO

1. The Chief Judicial Magistrate, Madurai.
2. The Superintendent, Central Prison, Madurai.
3. The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Tuticorin Regional Unit,
Tuticorin - 628001.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRL OP(MD), No.2541 of 2026

S.SRIMATHY,J

jbr

ORDER
IN
CRL OP(MD) No.2541 of 2026

Date : 11/02/2026