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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.02.2026

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No. 2568 of 2026

S. Abdulla @ Abdul Kather

...Petitioner

Vs.

The State of Tamil Nadu,
Represented by the Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
(Crime No. 73 of 2026)

... Respondent

For Petitioner : Mr.C.Susikumar

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PRAYER :- For Anticipatory Bail in Cr.No.73 of 2026 on the file of the respondent police.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6(b) read with Section 24(1) of Cigarette and other Tobacco Products Act and 275, 123 of BNS Act, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner was found in illegal possession of Tobacco products of Ganesh 701 Tobacco premium, cool lip filter Tobacco. 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 police submitted that the offence committed by the petitioner is serious 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.

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, Aundipatti, within a period of fifteen days from the date of when the order copy



made ready 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 Aadhaar card or bank pass book to ensure their identity.

[b] The petitioner shall make a non refundable deposit of Rs.3,000/- (Rupees Three Thousand only) jointly, to the credit of the Head Mistress, Kakkaipadiniar Corporation Girls Higher Secondary School, Madurai-2, in SBI Account No.11450416844, IFSC No.SBIN0007922; CIF No: 81185397104; State Bank of India, C.T.O. Complex, Thangaraj Road, Madurai. This fund shall be utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under 'Namakku Naame' Scheme. On such deposit being made, the learned Magistrate shall accept the sureties furnished by the petitioner;

[c] the petitioner shall appear before the respondent police 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.

09.02.2026

KSA

TO

1. The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.