



CRL OP(MD). No.3253 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.3253 of 2026

Durairaj

... Petitioner/Accused

Vs

The State of Tamil Nadu
Rep.By, the Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
(Crime No.31 of 2026)

... Respondent/Complainant

For Petitioner : Mr.K.Suyambulingabharathi
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.31 of 2026 on the file of
the Respondent Police.



CRL OP(MD), No.3253 of 2026

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 and Section 24(1) of COPTA Act 2003, in Crime No.31 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the 1st accused was found in illegal possession of 99 kgs of banned tobacco products. 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 1st accused, the petitioner was falsely implicated in this case. He further submitted that the petitioner is ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.



CRL OP(MD), No.3253 of 2026

4. The learned Government Advocate (Crk.Side) submitted that there are five 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, 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.III, Thoothukudi District, within a period of fifteen days from the date on which the order copy was made ready 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



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CRL OP(MD), No.3253 of 2026

card or bank pass book to ensure their identity;

[b] the petitioner is required to report to the respondent police daily at 10:30 a.m. until further orders. Additionally, the petitioner must submit an affidavit of undertaking before the court, affirming that he will not engage in the sale of banned tobacco products in the future, at the time of furnishing sureties.

[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



CRL OP(MD), No.3253 of 2026

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)
17.02.2026

msrm

To

- 1.The Judicial Magistrate No.III, Thoothukudi District.
2. The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CRL OP(MD). No.3253 of 2026

S.SRIMATHY,J

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**ORDER
IN
CRL OP(MD). No.3253 of 2026**

17.02.2026