



CRL OP(MD). No.3715 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 30/04/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.3715 of 2026

1. Vaniya Peedikayil Samad

2. Midhun Mohan T ... Petitioners/ Accused No.5&6

Vs

1. The Senior Intelligence Officer,
Directorate of Revenue Intelligence,
Tuticorin Regional Unit, Tuticorin 628 001.

2. Union of India,
Bureau of Immigration (FRRO),
Ministry of Home Affairs,
Shastri Bhavan, Haddows Road,
Nungambakkam,
Chennai-600 006. ... Respondents/Complainant

PRAYER :-

To enlarge the petitioners on bail in the event of arrest by the 1st respondent pending investigation in F.No.DRI/CZU/TTN/VIII/48/07/INT-01/2025 on the file of the 1st respondent and thus render justice.

For Petitioners : MR.A. Ganesh,
Advocate.

For Respondents : Mr.A.RC.Sundaresan



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Additional Advocate General
for Mr.K.Govindarjan,
(Deputy Solicitor General of India for DRI Cases)
(DSG-I)

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent for the offence 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 police, seek anticipatory bail.

2. The case of the prosecution is that on 27.11.2025, on secret information, the respondent conducted search in the container bearing Reg.No.TEMU5036193 and found that the petitioners along with the other accused, was in possession of 45,984 numbers of e-cigarettes valued at about Rs.10,41,60,000/-. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they were falsely implicated in this case and they are no way connected in the above said incident. He would further submit that the petitioners were neither the importer, consignee, clearing



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agent nor in any manner associated with the alleged consignment and the co-accused (A4) was already granted bail by this Court on 11.02.2026 in Crl.OP(DM)No.2541 of 2026. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Advocate General would submit that the petitioners along with the other accused, were in possession of 45984 E-cigarettes valued at about Rs.10,41,60,000/- and on verification of A1 to A3's mobile phone, the respondent found a the first petitioner and one Ashif Ali in the WhatsApp group and hence, issued summons under Section 108 of the Customs Act. Challenging the same, they filed writ petitions before the Kerala High Court. After that, they left India and the investigation is in nascent stage. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioners, and the huge amount was



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involved in this case and as rightly contended by the learned Additional Solicitor General, after filing of writ petitions, the accused left from India and now, residing in abroad and thereby, they misused the liberty and the investigation is in initial stage and even according to the prosecution, the first petitioner is the king pin of the occurrence and the second petitioner is the employee of the first petitioner, I am declined to grant anticipatory bail to the petitioners at this stage.

7. Accordingly, this Criminal Original Petition stands dismissed.

(P D B J)
30.04.2026

dss

To

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Tuticorin Regional Unit,
Tuticorin 628 001.

2. Union of India,
Bureau of Immigration (FRRO),
Ministry of Home Affairs,
Shastri Bhavan, Haddows Road,
Nungambakkam.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

P. DHANABAL,J

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ORDER
IN
CRL OP(MD) No.3715 of 2026

Date : 30/04/2026