



CRL OP(MD). No. 5814 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24.03.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 5814 of 2026

Sakthivel

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Aundipatti Police Station
Theni.
(Crime No. 140 of 2026)

...Respondent

For Petitioner : Mr.Rajiv Gandhi
Advocate.

For Respondent : Mr.K.M.Karunanithi
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 140 of 2026 on the file of the
respondent police.



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ORDER : The Court made the following order :-

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The petitioner/A2, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 6(b) and 24(1) of COTPA and Section 77 of Juvenile Justice Act, in Crime No.140 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.02.2026, A1 was in illegal possession of banned tobacco products. Based on his confession, the respondent police searched the shop of the petitioner and seized 96.750 kgs of banned tobacco products and thereafter, the petitioner has been arrayed as A2. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. He further submits that based on the confession of A1, the petitioner has been arrayed as A2 and Hence, he prays to grant Anticipatory Bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) fairly submits that based on the confession of A1, the respondent police searched the shop owned by the petitioner and seized 96.750 kgs of banned tobacco products. He further submits that the petitioner has no previous case. Hence, he opposes to grant anticipatory bail to the petitioner.

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 petitioner, and also considering the facts that based on the confession of A1, the petitioner has been arrayed as A2 and the petitioner has no previous case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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, Aundipatti, Theni, and on further conditions that:

[b] the petitioner shall report before the respondent



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police, daily at 10.30 a.m. for a period of thirty, and thereafter as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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 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 B.N.S.

(P D B J)
24.03.2026

apd

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To

- 1.The Judicial Magistrate, Aundipatti, Theni.
- 2.The Inspector of Police,
Aundipatti Police Station
Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 5814 of 2026

Date : 24.03.2026