



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.05.2026

PRESENT

THE HONOURABLE JUSTICE MR. K.K.RAMAKRISHNAN

CRL OP(MD).No.9457 of 2026

Marikannan

... Petitioner /
Accused No.2

Vs.

The State represented by
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(Crime No.446 of 2026)

... Respondent /
Complainant

For Petitioner : Mr.M.Prabhu

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



PRAYER :-

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For Anticipatory Bail in Crime No.446 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences under Section 123 of BNS (Corresponding Section 328 of IPC) and 24(1) of COTPA Act, in Crime No. 446 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 07.05.2026, when the respondent police was on patrol duty, the petitioner and the other accused were found in illegal possession of banned tobacco products in a two wheeler. 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 has no previous case. Hence, he seeks anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.Side), on instructions, submitted that the petitioner and the other accused were found in illegal possession of banned tobacco products. Hence, he strongly opposed the grant of anticipatory bail to the petitioner. However, he fairly submitted that the petitioner has no previous case.

5. Taking into consideration of the facts and circumstances of the case and considering the fact that the petitioner has no previous 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 anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Kovilpatti, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the



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satisfaction of the learned Judicial Magistrate No.II, Kovilpatti, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to make a non-refundable deposit of a sum of **Rs.10,000/- (Rupees Ten thousand only) to the credit of the Tiruchuli Bar Association**, having account in Indian Overseas Bank, Tiruchuli, Account No.247601000024274, IFSC No: IOBA0002476, MICR Code:626020206; On such deposit being made, the learned Magistrate shall accept the sureties furnished by the petitioner;

(c) the petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;



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(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 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]* and;

(g) if the accused/petitioner thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

13.05.2026

MGA

To

- 1.The Judicial Magistrate No.II,
Kovilpatti.
- 2.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 4.The President,
Thiruchuli Bar Association,
Virudhunagar District.

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K.K.RAMAKRISHNAN,J.,

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ORDER
IN
CRL OP(MD) No.9457 of 2026

Date : 13.05.2026