



CRL OP(MD) NO. 23764 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 23764 of 2025

Yesuraja @ Esurajan

Petitioner(s)

Vs

The State of Tamil Nadu
Rep. by The Sub Inspector of Police
Kayathar Police Station
Thoothukudi District.
Crime No. 447 of 2025

Respondent(s)

For Petitioner(s): Mr.M. Prabu

For Respondent(s): Mr.S.S.Manoj,
Government Advocate (crl. Side)

Prayer: For anticipatory bail in Crime No. 447 of 2025 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 24(1) of Cigarette and other Tobacco products 2003 and section 123 of BNS Act, 2023 (corresponding Section 328 of IPC) in Crime No.447 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner illegally transported Tobacco products in TATA Intra Mini Van and distributed them to various places. 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 submitted that the petitioner has complied with the interim order already passed by this Court.

5. Since the petitioner has complied with the interim order already passed by this Court and has also filed an undertaking affidavit stating that he will not sell Cool Lip tobacco in the future, 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



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sureties each for a like sum to the satisfaction of the Judicial Magistrate

Court-II, Kovilpatti, Thoothukudi District, within a period of fifteen days from

the date on which the order copy is 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 card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police as and when required for interrogation.

[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 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].



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[f]If the accused thereafter absconds, a fresh FIR can

WEB COPY be registered under Section 269 of BNS.

08.01.2026

KSA

To

1. The Sub Inspector of Police
Kayathar Police Station
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.