



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35489 of 2025

Manthiri

Petitioner(s)

Vs

State Rep By, Inspector Of Police,
PE Wing Kallakurichi Police Station,
Kallakurichi District. Crime No.
41/2025

Respondent(s)

PRAYER Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in pending investigation in Crime NO. 41/2025 on the file of the respondent police.

For Petitioner(s): Mr.V.Gunasekar

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.11.2025, for the alleged offences punishable under Section 4(1)(c), 4(1-A)(ii) of TNP Amendment Act, 2024, in Crime No.41 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in illegal possession of 5 litres of ID Arrack, 2050 kgs of jiggery and 1400 kilo of kattukai kottai. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, since he has got some previous cases. He has not committed any offence as alleged in FIR. The petitioner was arrested and is in judicial custody since 15.11.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would contend that the petitioner was found to be in illegal possession of 5 litres of ID Arrack, 2050 kgs of jiggery and 1400 kilo of kattukai kottai. He further submitted that the co-accused has already been granted bail. He also submitted that the petitioner has 3 previous cases of similar in nature, pending against him, and thereby, he strongly opposed to grant bail to the petitioner.

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



including the First Information Report.

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6. Considering the submissions of the learned counsel of either side and considering the nature of offence, the period of incarceration undergone by the petitioner, co-accused has already been granted bail and also considering that though the petitioner has 3 previous cases, in all of the cases, he has been released on bail and considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate, Sankarapuram and on further conditions that:-

[a] the petitioner shall report before the respondent police on everyday at 10.30 a.m., until further orders.

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

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

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

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

26-12-2025

gbi/drl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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- 1.State Rep By, Inspector Of Police,
PE Wing Kallakurichi Police Station,
Kallakurichi District. Crime No.
41/2025
2.The Public Prosecutor,
High Court of Madras.
3.The Judicial Magistrate,
Sankarapuram.
4.The Sub-Jail, Kallakurichi.



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P.DHANABAL J.
gbi/drl

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