



WEB COPY



Crl.O.P.No.26051 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 21.10.2024**

CORAM

**THE HON'BLE MR. JUSTICE P.DHANABAL**

**Crl.O.P.No.26051 of 2024**

Prabu

...Petitioner/Single Accused

**Vs.**

State rep by  
Inspector of Police,  
PEW Namakkal Police Station  
Namakkal District  
(Crime No.550 of 2024)

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying to enlarge the petitioner on bail in Cr.No. 550 of 2024 on the file of the respondent police.

\*\*\*

For Petitioner : Mr. S.Parameswaran

For Respondent : Mr.S.Vinothkumar  
Government Advocate (Crl. Side)



WEB COPY



CrI.O.P.No.26051 of 2024

## **ORDER**

The petitioner, who was arrested on 29.09.2024 and remanded to judicial custody on the same day for the offences under Sections 4(1)(A), 4(1)(B) of Tamilnadu Prohibition (Amendment) Act, 2024, in Crime No. 550 of 2024 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 7 bottles of liquor and 45 bottle lids. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case and he is a law-abiding citizen and he is ready to furnish substantial sureties for his due release on bail; therefore, he prays for the grant of bail to the petitioner.

4. Learned Government Advocate (CrI.Side) objected for granting bail to the petitioner stating that the petitioner was found in illegal



Crl.O.P.No.26051 of 2024

possession of 7 bottles of liquor and 45 bottle lid and there are six previous cases pending against the petitioner and all are disposed of.

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

6. Considering the submissions made on both sides and the quantity involved in this case and that the prosecution states that there are six previous cases pending against the petitioner but, all the cases were already disposed of and also taking into consideration the period of incarceration undergone by the petitioner from 29.09.2024, this Court is inclined to grant bail to the petitioner with certain conditions:

[a]. 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 court of *Judicial Magistrate, Sendamangalam*, and on further conditions that:

**[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for 30 days;**



CrI.O.P.No.26051 of 2024

WEB COPY

[c] The petitioner shall attend in accordance with the conditions of the bond;

[d] The petitioner shall not commit any offence similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[e] The petitioner shall not abscond either during investigation or trial;

[f] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with evidence;

[g] 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



Crl.O.P.No.26051 of 2024

himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]; and

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

**21.10.2024**

vsg

To

- 1.Judicial Magistrate, Sendamangalam.
- 2.Sub Jail, Rasipuram.
- 3.The Inspector of Police,  
PEW Namakkal Police Station  
Namakkal District
- 4.The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**

vsg



WEB COPY



Crl.O.P.No.26051 of 2024

**Crl.O.P.No.26051 of 2024**

21.10.2024