



CRL OP(MD). No.20425 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20425 of 2024

S.Suresh

... Petitioner/ Accused Rank not known

Vs

Sate of Tamil Nadu,
Rep by Inspector of Police,
P.E.W., Tirunelveli City Police Station,
Tirunelveli District,
Crime No.398 of 2024

...Respondent/ Complainant

For Petitioner : Mr.K.Jeyamohan
for Mr.Senthil Sankara Natha Kumar

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.398 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused rank not known, who apprehends arrest at the hands of
the respondent police for the offences punishable under sections 4(1) (aaa), 4(1)(A), 4



CRL OP(MD). No.20425 of 2024

(1-A)(ii), 14(A) of the Tamil Nadu Prohibition Act, 2024 and 318(4), 336(3), 336(4) and 350 of BNS, 2023 in Crime No.398 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 05.09.2024, the Police received a secret information to the effect that attempts are being made by the accused persons to sell fake liquor. Accordingly, the police team went to the spot and seized 1800 bottles of liquor. It was also found that the accused persons were creating an impression as if it was defence canteen liquor by fabricating the labels and affixing the same in those bottles.

3. The learned Government Advocate (Criminal Side) appearing for the respondent Police submits that there are totally 11 accused persons in this case and the petitioner is arrayed as accused No.5. Except the petitioner and accused No.9, all other accused persons were arrested in this case and the entire liquor bottles were seized. He further submits that the petitioner has two previous cases of similar nature.

4.The learned counsel for the petitioner submitted that a false complaint has been foisted against the petitioner and all the other accused persons, who were arrested, have already been enlarged on bail.

5.Taking into consideration the facts and circumstances of the case and also



CRL OP(MD). No.20425 of 2024

considering the fact that the entire liquor bottles have been seized by the Police and also considering the fact that there are two previous cases against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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.I, Tirunelveli on condition that the petitioner shall 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police daily at 05.30 p.m., for a period of eight weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with 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



CRL OP(MD). No.20425 of 2024

WEB COPY

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;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
25/11/2024

/ TRUE COPY /

/ 12 / 2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TA

TO

1 THE JUDICIAL MAGISTRATE
NO.I, TIRUNELVELI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
P.E.W. TIRUNELVELI CITY POLICE STATION,
TIRUNELVELI DISTRICT.



CRL OP(MD). No.20425 of 2024

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SENTHIL SANKARANATHA KUMAR, Advocate (SR-14489[I]
dated 25/11/2024)

ORDER
IN
CRL OP(MD) No.20425 of 2024
Date :25/11/2024

PSP/ GSV /SAR /03.12.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023