



CRL OP NO. 668 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2025

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**

**CRL OP NO. 668 of 2025**

Venkatasalam  
S/o Manickam, No.1/99, Konaniyur Kattu Kottai, Edappadi Taluk,  
Salem District

Petitioner(s)

Vs

State Rep.By, The Inspector Of Police,  
PEW-Steel Plant Police Station, Salem District. Crime No. 965 of  
2024)

Respondent(s)

**For Petitioner(s):**

Deepak Kumar C  
R. Pandimeena

**For Respondent(s):**

S.Santhosh  
Public Prosecutor  
Madras High Court.

**ORDER**

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(B) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.965 of 2024, on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that on 22.11.2024, while the respondent was on their routine inspection near Ettukuttapatti, some unknown persons were consuming alcohol in the petitioner's fish shop without any valid permission. The respondent also recovered some empty bottles. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that petitioner is innocent and have not committed any offence. He would further submit that the petitioner is ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner, stating that the petitioner along with some other accused were consuming alcohol in the petitioner's fish shop without any valid permission. He also submitted that the petitioner has five previous case.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the quantity of



contraband involved in this case, this Court is inclined to grant anticipatory bail

petitioner on condition that the petitioner may be directed to deposit a sum of

Rs.5,000/- (Rupees Five Thousand only) each to the credit of "**The Dean/Medical**

**Officer, Government Mohan Kumaramangalam Medical College Hospital,**

**Salem"**, without prejudice to their rights and contentions before the trial Court.

7. It is made clear that merely because the petitioner is depositing the amount, it would not amount to the petitioner admitting their guilt in the criminal case and such amount is being paid without prejudice to the right of the petitioner.

8. Accordingly, the petitioner shall make a non refundable deposit of **Rs.5,000/- (Rupees**

**Five Thousands only) each** by way of Demand Draft/RTGS/NEFT to the credit of the "**The**

**Dean/Medical Officer, Government Mohan Kumaramangalam Medical College**

**Hospital, Salem"**, and on such deposit and on receipt of proof of payment, the petitioner is

ordered to be released on bail in the event of arrest or on their appearance, within a period of

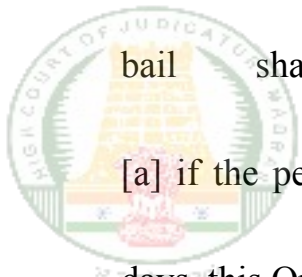
fifteen days from the date on which the order copy made ready, before the **Judicial**

**Magistrate, Edappadi** 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 learned Magistrate concerned, failing which, the petition for anticipatory



bail shall stand dismissed and 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;

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[b] 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;

**[c] the petitioner shall report before the respondent Police on everyday at 10:30 A.M., until further orders;**

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

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

[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 was 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]

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269

of BNS.



20-01-2025

msv  
To  
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The Inspector Of Police,  
PEW-Steel Plant Police Station,  
Salem District.