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Crl.O.P.No.1122 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-01-2025

CORAM

THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

CRL OP NO. 1122 of 2025

Kalaivani

.....

Petitioner

-VS-

State Rep. By Sub Inspector of Police
Tiruvannamalai Police Station
Tiruvannamalai District
Crime No.11 of 2025

....

Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., pleaded to enlarge the petitioner on bail, in Crime No.11 of 2025 on the file of the respondent Police.

For Petitioner : Mr.E.Sathiyaraj
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Heard the learned counsel on either side.

2. The petitioner/accused, who was arrested and remanded to judicial custody on 07.01.2025 for the offences under 4(1)(C), read with 4(1-A)(ii) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.11 of 2025, seeks



bail.

3. The case of the prosecution is that on 07.01.2025, the petitioner was found in possession of 11 bottles of Black Pearl Brandy bottles.

3. Learned counsel for the petitioner would contend that the petitioner has been falsely implicated in this case for statistical purpose and she is no way connected in the commission of the offences and she is ready to abide by any condition imposed by this Court.

4. Learned Government Advocate (Crl.Side) submits that the petitioner was found in possession of 11 bottles of Black Pearl Brandy Bottles and there are 10 previous cases as against the petitioner. Hence, he objects grant of bail to the petitioner.

5. Heard both sides. Considering the rival submissions on either side and the nature of offences, this Court is inclined to grant bail to the petitioner, subject to the following conditions:-

(a) Accordingly, the petitioner is ordered to be released on bail on condition to 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 **learned Magistrate-I, Tiruvannamalai** and on further conditions that:-



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[b] the sureties shall affix their photographs and left thumb impression in the surety bond and the learned trial judge 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 daily at 10.30 a.m., until further orders for a period of 30 days and thereafter as and when required for interrogation.

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

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

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

[g] 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 of BNS.

17.01.2025



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G.R.SWAMINATHAN, J.

KST

To

- 1.The Judicial Magistrate-I
Tiruvannamalai.
- 2.The Sub Inspector of Police
Tiruvannamalai Police Station
Tiruvannamalai District
- 3.The Superintendent,
Special Prison for Women, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

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