



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1888 of 2025

Poornima,
W/o. Gandhi

Petitioner(s)

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Chengam Police Station,
Tiruvannamalai District.
(Crime No.16 of 2025)

Respondent(s)

For Petitioner(s): Mr.S.L. Venkatesan

For Respondent(s): Mr.S.Santhosh, Government Advocate,(Crl.side)

ORDER

Apprehending arrest in connection with Crime No.16 of 2025 registered for the offences punishable under Section 4(1)(i) r/w 4(1)(A) of the Tamil Nadu Prohibition Act, 2024, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioner, false implication in

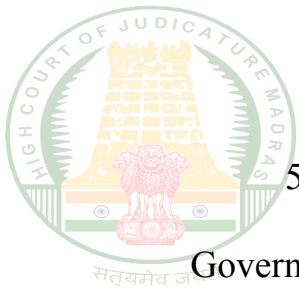


the case, learned counsel for the petitioner seeks indulgence of this Court.

He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as put forth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, submitted that totally there are three accused in this case, and the petitioner is arrayed as A3. He also submits that the petitioner was found to be in illegal possession of 81 bottles of liquor. Further, he submits that the petitioner has three previous cases of the year 2014, 2017 & 2023 pending against him, out of which, two cases have been disposed of.

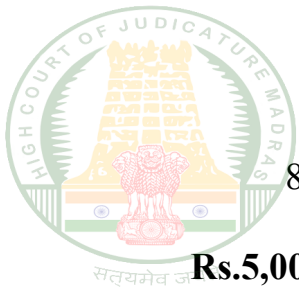
4. In reply, the learned counsel for the petitioner submitted that the petitioner is ready to co-operate with the enquiry. He further submitted that, without prejudice to his contentions, the petitioner is willing to deposit a non-refundable amount of Rs.5,000/- to any charitable organization or association. Therefore, he prays for the grant of anticipatory bail to the petitioner.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the previous cases cited pending against the petitioner are from earlier years and do not pertain to the current year, this Court is inclined to grant anticipatory bail to the petitioner. However, taking into consideration the voluntary submission made by the petitioner offering to deposit a considerable amount to any charitable organization or association, this Court is of the opinion that as one of the conditions for grant of anticipatory bail, the petitioner may be directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of District Legal Services Authority, Thiruvannamalai District, without prejudice to his 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 his 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 Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the **District Legal Services Authority, Thiruvannamalai District**, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate Court, Chengam, Thiruvannamalai District**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 conditions that:

[a] the petitioner shall report before the respondent police daily at 10:30 A.M., until further orders;

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

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



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[d] 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]**;

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

28-01-2025

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To

- 1.The State of Tamilnadu,
Represented by the Inspector of Police,
Chengam Police Station, Tiruvannamalai District. (Crime No.16 of 2025)
- 2.The Judicial Magistrate Court, Chengam, Thiruvannamalai District.
- 3.The Public Prosecutor, High Court, Madras.



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A.D. JAGADISH CHANDIRA, J.

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