

CRL OP NO.1920 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.01.2025**

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO.1920 of 2025

Subramaniam

Petitioner(s)

Vs.

The State Rep. By,
The Inspector of Police,
PEW – Namakkal Police Station,
Namakkal District. (Crime No.578/2024)

Respondent(s)

For Petitioner(s): Mr. R. Anbukarasu

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)A & 14(A) of the Tamilnadu Prohibition (Amendment) Act, 2024 in Crime No.578 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.12.2024, while the respondent police were on their routine patrol duty, they found that three persons were smuggling 283 bottles of liquor from Puducherry in a TATA SUMO car bearing Registration No.PY-05-Y-5155 and upon enquiry, it is found that the arrested persons smuggled the liquor bottles to supply the same



to the petitioner herein. Hence, this case.

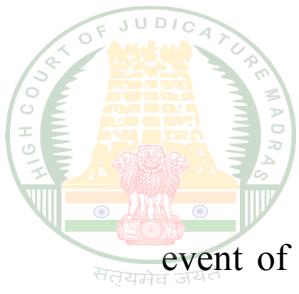
WEB COPY

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case, based on the confession of arrested accused. He further submitted that the petitioner is ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner, stating that the petitioner along with co-accused have involved in smuggling of 283 numbers of liquor bottles from Puducherry to Thiruchengodu. He further submitted that there is no previous case as against the petitioner.

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

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the fact that, there is no previous case as against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



WEB COPY

7. Accordingly, 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 learned Judicial Magistrate Court No.1, Namakkal** on condition that the petitioner shall execute a separate 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:

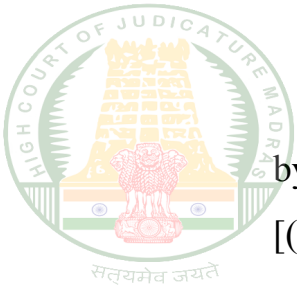
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10:30 a.m., until further orders;

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

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

[e] 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



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

WEB COPY

[f] If the petitioner thereafter absconds, a fresh FIR can
be registered under Section 269 of B.N.S.

28.01.2025

klt

To

The State Rep. By,
The Inspector of Police,
PEW – Namakkal Police Station,
Namakkal District. (Crime No.578/2024)



WEB COPY



A.D. JAGADISH CHANDIRA, J.

klt

CRL.OP. No.1920 of 2025

28.01.2025