



WEB COPY



Crl.O.P.No.2403 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2403 of 2025

Vijaya

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thiruvallam Police Station,
Vellore District.
(Crime No.2 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, in connection with the Crime No.2 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.V.Tamilselvan

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 04.01.2025, seeking bail in Crime No.2 of 2025 registered for the offence under Section 4(1)(C), 4(1-A)(ii) of the Tamil Nadu Prohibition (Amendment) Act, 2024.



Crl.O.P.No.2403 of 2025

2. The case of the prosecution is that the accused was found to be in illegal possession of 9 bottles of liquor without any label. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner, aged about 59 years, is an innocent person and she has been falsely implicated in this case. He also submitted that the petitioner is in custody from 04.01.2025 and she is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner, against whom, three previous cases of similar nature are pending, was found to be in illegal possession of 9 bottles of liquor without any label.

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

6. Considering the nature of allegation and the period of incarceration undergone by the petitioner, this Court is of the opinion that the further custody of the petitioner is not required for the purpose of investigation. Therefore, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her



CrI.O.P.No.2403 of 2025

executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Chief Judicial Magistrate, Katpadi, Vellore District**, and on further conditions that:

[a] 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 abscond either during investigation or trial;

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

SUNDER MOHAN., J.

ham



WEB COPY



Crl.O.P.No.2403 of 2025

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

31.01.2025

ham

To

1. The Chief Judicial Magistrate,
Katpadi, Vellore District.
2. The Inspector of Police,
Thiruvalam Police Station,
Vellore District.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.2403 of 2025