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Crl O.P.No.2570 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2570 of 2025

Revathi

.. Petitioner

Vs.

The State rep by
Inspector of Police,
E-1 Mylapore Police Station,
Chennai – 600 004
(Crime No.5/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event
of her arrest in Crime No.05 of 2025 on the file of the respondent Police.

For Petitioners : Mr.M.Jeevarathinam

For Respondent : Mr.S.Balaji
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) and 4(1)(B) of Tamilnadu Prohibition Amendment Act 2024, in Crime No.5 of 2025, seeks anticipatory bail.



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2. The case of the prosecution is that, on 04.01.2025, the Accused A1 and A3 were found to be in illegal possession of 99 bottles of Black pearl liquor. The liquor was seized, and A1 was arrested. Based on the confession of A1, the petitioner/ A2 has been arrayed as an accused. Hence, the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that only on confession statement of A1 the petitioner has been arrayed as an accused; and in any case custodial interrogation of the petitioner is not required. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioner, submitted that the accused was found to be allegedly involved in possession of 99 bottles of Black pearl liquor without any license. He would further submit that eight previous cases are pending against the petitioner.

5.At this juncture, the learned counsel for the petitioner submitted that the petitioner is prepared to donate/pay some considerable amount to any



charitable organization or association without prejudice to her defence and prayed for grant of anticipatory bail.

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

7. Considering the voluntary submission made by the learned counsel for the petitioner, the petitioner is directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** as non refundable deposit to “**Tamil Nadu Legal Services Authority, Chennai**”, without prejudice to the right of the defence before the Trial Court and making it clear that it would not amount to admission of guilt.

8. Considering the nature allegations, the petitioner is a Lady; and since custodial interrogation of the petitioner is not required for investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

9. Accordingly, petitioner is directed to make a non-refundable deposit of



Rs.20,000/- directly to the credit of “Tamil Nadu State Legal Services Authority, Chennai”, without prejudice to the right of the defence before the Trial Court, on such deposit and production of proof, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy is made ready, before the ***Learned XVIII Metropolitan Magistrate Court, Saidapet***, 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 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 daily at 10.00 a.m., until further orders.

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

[d] the petitioner shall not abscond 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



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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 BNS.

03.02.2025

Index : Yes / No
Internet : Yes / No
dpa

To

1. The Learned XVIII Metropolitan Magistrate Court,
Saidapet
2. The Inspector of Police,
E-1 Mylapore Police Station,
Chennai – 600 004
3. The Public Prosecutor,
High Court of Madras.

SUNDER MOHAN., J.



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