



Crl.O.P.No.2801 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.2801 of 2025

Lakshmi

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
Veeranam Police Station,
Salem District.
(Crime No.45 of 2025).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.45 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.Sanjay Davidson

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 15.01.2025, seeking bail in Crime No.45 of 2025 registered for the offence under Sections 4(1)(a) and 4(1-A) of TNP (Amendment) Act.



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2. The case of the prosecution is that the petitioner was found in possession of 10 bottles of MC Dowells Brandy (180 ml each). Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is in custody from 15.01.2025 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 was found in possession of 10 bottles of MC Dowells Brandy (each 180 ml). He further submitted that there are seven cases of similar nature against the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the



materials available on record.

6. Considering the nature of allegation, period of incarceration and since further custody is not required for the purpose of investigation, 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 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 **Judicial Magistrate No.IV, Salem.**

[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 is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only)** to the credit of the **"District Legal Services Authority, Salem"**, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

[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



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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]***;

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

05.02.2025

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To

1. The Judicial Magistrate No.IV,
Salem.
2. The Inspector of Police,
Veeranam Police Station,
Salem District.
3. The Superintendent,
Sub Jail, Salem.



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4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

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