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Crl.OP.No.2958 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 2958 of 2025

Rajesh Kumar
S/o. Jeyaprakash, 100/3, Kurangu Mayan Street,
Uthamapuram, Kambam Theni, Tamil Nadu- 625
516

Petitioner(s)

Vs

State Rep.By, Inspector Of Police,
PEW Police Station, Tiruppur City. Tamil Nadu

Respondent(s)

For Petitioner(s):

N S Amogh Simha

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) r/w 24 of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.13 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner along with other accused were found to be in illegal possession of 1181 bottles of liquor measuring 334.480 litres. 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 would further submit that the petitioner is a law abiding citizen and ready to abide by any stringent condition that may be imposed by this Court. 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 co-accused was arrested and released on bail. He further submits that the petitioner herein was arrested based on the confession of the co-accused.

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. Considering the nature of allegation; that the petitioner has been implicated based on the confession of the co-accused and the custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 of receipt of copy of this order, before the learned Judicial Magistrate Court III, Tiruppur, on condition that the petitioner shall execute a bond for 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 said Magistrate, on further condition that:

[a] the sureties shall affix their photographs and Left
Thumb Impression in the surety bond and the



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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*** reported in [(2005)AIR SCW 5560];



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

12.02.2025

drl

To

1. Inspector Of Police,
PEW Police Station,
Tiruppur City. Tamil Nadu
2. The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

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