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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3035 of 2025

SUMAN

S/0 Gnanavel, No.137,Road NO137 ROAD
STREET UKKAMPERUMBakkam MATHUR
TIRUVANNAMALAI DISTRICT 631701

Petitioner(s)

Vs

State Rep By. The Inspector of Police,
PEW Cheyyar Police Station, Tiruvannamalai
Cr.No.11 of 2025

Respondent(s)

For Petitioner(s):

Mubeen M
Abitha Ravindran
P.Ananda Kumar

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)(i) of TN Prohibition Act r/w 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.11 of 2025 on the file of the respondent police, seeks anticipatory bail.



2.The case of the prosecution is that when the respondent police conducted a raid at the Mangala Coot Road, the 1st accused was found to be in possession of 48 brandy bottles each containing 180 ml. The petitioner was added as A2 based on the confession made by A1. Hence the complaint.

3.The learned counsel for the petitioner submits that the petitioner is innocent person and he has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police, opposed the grant of anticipatory bail, stating that the petitioner had brought brandy bottles from Puducherry and illegally sold to A1. A1 was found in illegal possession of 48 brandy bottles, each containing 180 ml. He further submitted that there is one previous cases pending as against the petitioner and that no recovery has been made from him.

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



6. Considering the nature of the complaint and custodial interrogation of the petitioner is not required for the investigation, this Court is inclined to grant anticipatory bail to the petitioner. 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 a copy of this order, before the learned **Judicial Magistrate, Cheyyar**, on condition that the petitioner shall execute a 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police daily at 10.30 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.



SUNDER MOHAN , J.

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[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 of BNS.

07.02.2025

Index : Yes / No

Internet : Yes / No

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To

1. The Inspector of Police,
PEW Cheyyar Police Station, Tiruvannamalai

2. The Public Prosecutor,
Madras High Court, Chennai.

Crl.O.P.No.3035 of 2025