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Crl.O.P.No.3029 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3029 of 2025

SANTHA

Wife of Rajendiran, Door No.7, Annai Sathya
Street, Ulundurpet, Kallakurichi District

Petitioner(s)

Vs

The Inspector Of Police,
ULUNDURPET POLICE STATION,
Ulundurpet, Kallakurichi District, Crime No.91
of 2025

Respondent(s)

For Petitioner(s): Mr. Krishnasamy chinnasamy

For Respondent(s): Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(i) of Tamil Nadu Prohibition Act and 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.91 of 2025, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that, while the respondent police were conducting inspection, they found that the accused person was in illegal possession of 45 brandy bottles for sale; that upon investigation, it is found that the petitioner had also involved in the aforesaid offence. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case, based on the confession of the co-accused; that the petitioner had never committed any offence as alleged by the prosecution; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner along with other accused were in possession of 45 brandy bottles and used the same for illegal sale; that the petitioner has fifteen previous cases, out of which 9 cases were disposed of, and that the investigation is pending.



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

6. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioner, submissions made by the learned counsels on either side, the fact that the petitioner herein is a lady, she has been implicated based on the confession of the co-accused, 9 previous cases registered against the petitioner has been disposed of and since, custodial interrogation 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 on which the order copy made ready, before **the learned Judicial Magistrate No.1, Ulundurpet** on condition that the petitioner shall execute a separate 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 everyday 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.

[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].



Crl.O.P.No.3029 of 2025

WEB COPY

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

07.02.2025

stn

To

1. The Inspector Of Police,
ULUNDURPET POLICE STATION,
Ulundurpet,
Kallakurichi District,
Crime No.91 of 2025

SUNDER MOHAN, J.

stn



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