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Crl.O.P.No.3431 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **18-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.3431 of 2025

Rani,
W/o. Kuppusamy,
Kalamman Koil Street,
Pappireddipatti Taluk, Dharmapuri.

Petitioner(s)

Vs

State Rep.by,
Inspector of Police,
PEW Pappireddipatti Police Station,
Dharmapuri District. (Cr.No.19/2025)

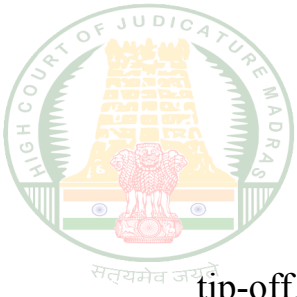
Respondent(s)

For Petitioner(s): Mr. M. Selvam

For Respondent(s): 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)(c) and 4(1)(B), and 24 of the Tamil Nadu Prohibition Act, in Crime No.19 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, on 19.01.2025, based on a tip-off, the respondent Police conducted an inspection at Pappireddipatti Village. At that time, the petitioner, along with the other accused were found in possession of TASMAL liquor bottles for illegal sale. Upon seeing the respondent Police, the petitioner and the other persons fled the scene. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. Further, he would submit that the petitioner is ready and willing to deposit an amount of Rs.5,000/- as non-refundable deposit to any welfare scheme of the Government or any organization and to produce solvent sureties, abide by any stringent conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, hence 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 was involved in the illegal transportation and sale of 39 TASMAL liquor bottles. Further, he



states that the respondent Police seized the liquor bottles and the investigation is going on. He also submitted that the petitioner has 139 cases pending against her, apart from the present one, and out of these, 129 cases have been disposed of.

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 including the counter affidavit.

6. Taking note of the facts and circumstances of the case, the nature of allegation against the petitioner, and the submissions made by the learned counsels on either side, also considering the fact that the contraband were seized and noting that the previous cases pending against her have almost been disposed of, and since custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner.

7. Considering the voluntary submission made by the petitioner offering to deposit a considerable amount to any charitable organization or association, this Court is of the opinion that as one of the conditions for grant of anticipatory bail, the petitioner may be directed to deposit a sum of



Crl.O.P.No.3431 of 2022

Rs.5,000/- (Rupees Five Thousand only) to the credit of District Legal Services Authority, Dharmapuri District, without prejudice to her rights and contentions before the trial Court.

8. It is made clear that merely because the petitioner is depositing the amount, it would not amount to the petitioner admitting her guilt in the criminal case and such amount is being paid without prejudice to the right of the petitioner.

9. Accordingly, the petitioner shall make a non refundable deposit of **Rs.5,000/- (Rupees Five Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of the **District Legal Services Authority, Dharmapuri District**, and on such deposit and on receipt of proof of payment, 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 made ready, before the *learned Judicial Magistrate, Pappireddipatti, Dharmapuri District*, 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:

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[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 the investigation or during the trial;

[d] the petitioner shall not abscond either during the investigation or during the 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 was 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 petitioner thereafter absconds, a fresh FIR



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Crl.O.P.No.3431 of 2025

can be registered under Section 269 of B.N.S.

18-02-2025

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To

1. The State Rep.by,
Inspector of Police,
PEW Pappireddipatti Police Station,
Dharmapuri District. (Crime No.19 of 2025)

SUNDER MOHAN, J.

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Crl.O.P.No.3431 of 2025

Crl.O.P. No.3431 of 2025

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