



Crl.OP.No.3504 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3504 of 2025

Jayaprasath Alies Prathap Alies Prasath
S/O. Chandrasekar, NO 853 , RAMBAI STREET
, KARUGAMPATHUR , VELLORE

Petitioner(s)

Vs

State rep. by Inspector of police,
Virinchipuram police station , Vellore District.
(crime no.340/2024)

Respondent(s)

For Petitioner(s):

Nirmal Krishnan

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), 4(1)(C) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.340 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on the secret information



regarding prohibition offences, the respondent police during the time of vehicle check up, they found the petitioner along with other accused was in illegal possession of 48 bottles of brandy. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is innocent persons and he has been falsely implicated in this case. He further submits that the entire contraband was seized from A1, and since the custodial interrogation is not necessary; and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions, submitted that the contraband was seized from the possession of A1 and he was arrested and released on bail; and that no previous case was pending against him.

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.



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6. Considering the nature of allegation; contraband seized from the possession of A1, no previous case; and that 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 No.IV, Vellore District, 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 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,



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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. The Inspector of police,
Virinchipuram police station ,
Vellore District.
2. The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN, J.

drl

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