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Crl.OP.No.3472 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3472 of 2025

Saran @ Sarankumar
S/o. Ravi, No.57/3, Bharathiyar 3 Street, Attur,
Pudupet, Salem District.

Petitioner(s)

Vs

State Rep.By, The Inspector Of Police
Attur Police Station, Salem District, (Crime No.
43 of 2025)

Respondent(s)

For Petitioner(s):

W.Camyles Gandhi

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)(C), 4(1-A) of TNP Act r/w 353(1) (b) of BNS 2023, in Crime No.43 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent police was



on regular patrol duty, at the time, they found the petitioner along with other accused was in possession of 3 liters of I.D. Arrack. On seeing the police officials, the accused escaped from the place and one of the accused caught hold by the respondent police and on his confession statement, the petitioner name was implicated and FIR was registered against him. 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 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 there are totally four accused in this case and the petitioner herein is ranked as A4. He further submits that A1 is still in custody, A2

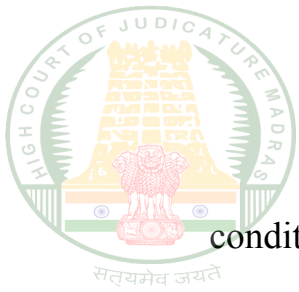


was absconded; and that the petitioner was implicated based on the confession of the co-accused.

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 No.I, Attur, 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:

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- [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, 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
Attur Police Station, Salem District.
2. The Public Prosecutor,
Madras High Court,
Chennai.

SUNDER MOHAN, J.

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