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CRL OP NO. 3538 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2025

CORAM
THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3538 of 2025

Naresh Kumar

Petitioner

Vs

The State Rep by,
The Inspector of Police,
Vaniyambadi Taluk, Tirupathur District.
(Crime No. 31 of 2025)

Respondent

Prayer:

Criminal Original Petition filed under Section 482 of BNS, 2023
pleaded to enlarge the petitioner / Accused on anticipatory bail in the
event of arrest in Crime No. 31 of 2025 pending on the file of the
respondent police.

For Petitioner(s):

Mr.D.Balaji

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 Section 4(1)(A) and 4(1)(C) of
the TNP (Amendment) Act, in Crime No.31 of 2025, on the file of the



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respondent police, seeks anticipatory bail.

2. The case of the prosecution is that during a regular patrol, the petitioner was found in possession of 48 bottles (650 ml each) of beer bottles illegally. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case and that there is no previous case as against the petitioner, he may be released on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police re-iterated the prosecution case and on instructions submitted that there is no previous case as against the petitioner and the contrabands were seized.

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

6. Considering the submissions made by either side, the nature of



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allegation, contraband was seized and since custodial interrogation of the

petitioner is not required, this Court is inclined to grant anticipatory bail

to the petitioner subject to the following conditions:

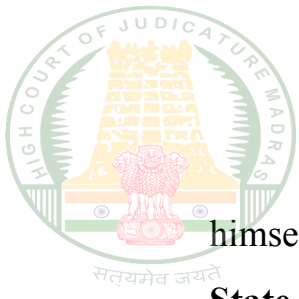
(a) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate Vaniyambadi, Tirupathur District** on condition that the petitioners shall 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police every day 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



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himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

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SUNDER MOHAN, J.

vca

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

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To

1. The Inspector of Police,
Vaniyambadi Taluk, Tirupathur District.
2. The Judicial Magistrate Vaniyambadi, Tirupathur
District
3. The Public Prosecutor,
High Court, Madras

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