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Crl.O.P.No.3742 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3742 of 2025

Selvaraj

... Petitioner/Accused No.3

Vs.

State through
The Inspector of Police,
PEW - Adayar,
Chennai.
(Crime No.526 of 2024)

... Respondent

PRAYER: This Criminal Original Petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.526 of 2024 on the file of the respondent police.

For Petitioner : Mr.N.Anandan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 20.01.2025, seeking bail in Crime No.526 of 2024 registered for the offence under Sections 4(1)(A) of the Tamil Nadu Prohibition (Amendment Act) 2024.

2.The case of the prosecution is that the petitioner along with other accused was found to be in illegal possession of 650 bottles of liquor. Hence, the case.

3.Learned counsel appearing for the petitioner submitted that the the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in custody from 20.01.2025 and hence, he prayed for grant of bail to the petitioner.

4.Learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner has two previous cases. Hence, he opposed for grant of bail to the petitioner.



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

5.Considering the above facts and circumstances of the case and considering the period of incarceration, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner shall deposit a sum of **Rs.1,00,000/- (Rupees One Lakh only)**, by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital and Research Institute, Regional Centre, Kanchipuram** and on such deposit the petitioner is ordered to be released on bail on his executing 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 learned **XVIII Metropolitan Magistrate, Saidapet, Chennai** and on further conditions 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.



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[b] the petitioner shall deposit a sum of Rs.1,00,000/-(Rupees One Lakh only), by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital and Research Institute, Regional Centre, Kanchipuram** and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;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 [(2005)AIR SCW 5560]***;

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

14.02.2025

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1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
PEW - Adayar,
Chennai.
3. The Superintendent,
Central Prison- Puzhal.
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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