



WEB COPY



Crl.O.P.No.3684 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3684 of 2025

Vairavan

... Petitioner/A2

Vs.

The State represented by,
The Inspector of Police,
PEW, Rasipuram,
Namakkal District.
(Crime No.410 of 2015).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, pending Criminal Proceedings in PRC No.16 of 2020 on the file of the learned Judicial Magistrate, Rasipuram.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioner/A2, who is facing trial for the offence under Sections 4(1)(aaa) r/w 4(1-A) TNP Act, was granted bail earlier by the trial Court and as he did not appear before the trial Court, a NBW was



Crl.O.P.No.3684 of 2025

issued on 29.09.2023 and the warrant was executed on 29.01.2025.

Hence, this petition for bail.

2. The case of the prosecution is that the petitioner along with other accused was found in possession of 10 litres of illicit arrack.

Hence the case.

3. The learned counsel appearing for the petitioner submitted that considering the period of incarceration, the petitioner may be released on bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner was absconding for a very long time; that the petitioner has 19 previous cases, out of which four are pending; and that the petitioner is in bail in all other the cases.

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.

6. Considering the nature of allegations, the fact that the petitioner



is in custody from 29.01.2025, that the petitioner in on bail in all other cases and was already released on bail by the trial Court in this case, this Court is inclined to grant bail to the petitioner on stringent conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Rasipuram**.

[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 trial Court, 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***



Crl.O.P.No.3684 of 2025

[(2005)AIR SCW 5560];

WEB COPY

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

17.02.2025

ars

SUNDER MOHAN., J.

ars

To

1. The Judicial Magistrate,
Rasipuram.
2. The Inspector of Police,
PEW, Rasipuram,
Namakkal District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.3684 of 2025



WEB COPY



CrI.O.P.No.3684 of 2025

17.02.2025