



WEB COPY



CRL OP NO. 3696 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **13-02-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 3696 of 2025

Prabhu @ Rajesh Kannan

Petitioner

Vs

The State Rep by,
The Inspector of Police,
Perambur Police Station,
Mayiladuthurai District
(Crime No. 75 of 2024)

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. 75 of 2024 pending on the file of the
respondent police.

For Petitioner(s):

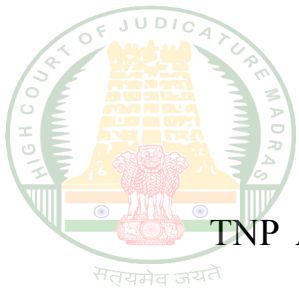
Mr.P.Krishna Moorthy

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)(aaa), 4(1-A) of the



CRL OP NO. 3696 of 2025

TNP Act and 328 of IPC, in Crime No.75 of 2024, on the file of the

WEB COPY

respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused persons were found illegally transporting 110 litres of shield pondy arrack. 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 the co-accused were arrested and released on bail, he may also 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 are some previous cases as against the petitioner and hence, opposed for grant of anticipatory bail.

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.



CRL OP NO. 3696 of 2025

WEB COPY

6. Considering the submissions made by either side and also nature of allegation, contrabands were seized, the fact that the co-accused was arrested and released on bail, though, there are some previous cases as against the petitioner, he was arrested and released on bail in those cases 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 **Munsif cum Judicial Magistrate, Tharangambadi** 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



CRL OP NO. 3696 of 2025

investigation or trial;

WEB COPY

SUNDER MOHAN, J.

vca

[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 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 BNS.

13-02-2025

vca

To
1. The Inspector of Police,
Perambur Police Station,
Mayiladuthurai District
(Crime No. 75 of 2024)
2. The Munsif cum Judicial Magistrate,
Tharangambadi
3. The Public Prosecutor,
High Court, Madras



WEB COPY



CRL OP NO. 3696 of 2025

CRL OP NO. 3696 of 2025