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Crl OP No.3759 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.3759 of 2025

Karthik

... Petitioner

Versus

The State of Tamilnadu
through the Inspector of Police,
Tiruppur North Police Station,
Tiruppur City.
(Cr.No.184 of 2025)

... Respondent

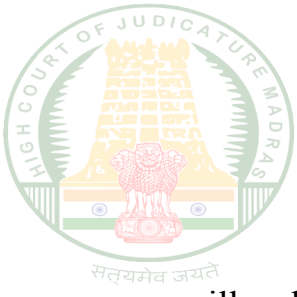
Prayer: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of his arrest in Cr.No.184 of 2025 on the file of the respondent police.

For petitioner : Mr.Deepan Uday

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 132, 351(3) of BNS, 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024 and Section 24 of TN Prohibition Act in Crime No.184 of 2025, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner/accused had illegally sold 18 brandy bottles of Tasmac Liquor after the working hours.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; without prejudice to his contention, is prepared to deposit an amount of Rs.5,000/- towards any charitable organization or association and prayed for anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the contraband was seized and that there are ten cases pending against the petitioner and he is on bail in other cases.

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.



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6. Considering the voluntary submission made by the learned counsel for the petitioner and the nature of allegation; the fact that the contraband was seized; that the petitioner is on bail in the pending cases and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 on which the order copy is made ready, before the **Judicial Magistrate-I, Tiruppur** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and 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 daily at 10.30 a.m., until further orders.**

[c] the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees



Five Thousand only) as non-refundable deposit either through RTGS/NEFT or in cash in favour of “ *The Taluk Legal Service Authority attached to the Concerned Court*” within a period of fifteen (15) days from the date of receipt of a copy of this order and shall produce the said receipt before the Court below without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 is 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]**;

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

27.02.2025

Vv

To

1. The Judicial Magistrate-I, Tiruppur



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2. The Inspector of Police,
Tiruppur North Police Station,
Tiruppur City.

3. The Public Prosecutor,
High Court of Madras,
Chennai.

SUNDER MOHAN, J.

Vv



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