



WEB COPY

Crl.O.P.No.4062 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.4062 of 2025

Jayakumar,
S/o. Babu,
No.32A, Perumal Kovil Street,
Manjampadi, Attupakkam,
Ranpet District – 631 051.

Petitioner(s)

Vs

The State
Rep.by The Inspector of Police,
Nemili Police Station,
Ranipet District. (Crime No.34 of 2025)

Respondent(s)

For Petitioner(s): Mr. K. Krishnamoorthy

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 Sections 4(1)(c) and 4(1-A)(ii) of the Tamil Nadu Prohibition Act, in Crime No.34 of 2025, on the file of the respondent police, seeks anticipatory bail.



WEB COPY

2. The case of the prosecution is that, the petitioner, along with another individual, was found in possession of 30 bottles of Old Chef, each containing 180 ml, totalling 5.4 liters, intended for illegal sale. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case; that the petitioner had never committed any offence as alleged by the prosecution; and that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner was involved in the illegal possession of 3 liters of ID Arrack. Although the petitioner has no previous cases pending against him, the investigation is ongoing, and the contraband has been seized. He also submitted that the petitioner is arrayed as A2, while the co-accused arrayed as A1, has already been granted bail.

5. Heard the learned counsel for the petitioner and the learned



Crl.O.P.No.4062 of 202

Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the First Information Report.

WEB COPY

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsels on either side, the fact that the petitioner has no previous cases and since custodial interrogation is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 made ready, before **the learned Judicial Magistrate No.2, Arokkanam, Ranipet District**, on condition that the petitioner shall execute a separate 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



WEB COPY

Crl.O.P.No.4062 of 2023



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

[d] the petitioner shall not abscond either during the investigation or during the 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 was 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.



WEB COPY

kl

To

1. The State
Rep. by The Inspector of Police,
Nemili Police Station,
Ranipet District. (Crime No.34 of 2025)

Crl.O.P.No.4062 of 2025



18-02-2025

SUNDER MOHAN, J.

kl



WEB COPY



Crl.O.P.No.4062 of 2025

Crl.O.P. No.4062 of 2025

18-02-2025