



CRL OP NO. 7470 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **19.03.2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 7470 of 2025

Senthil

... Petitioner

Vs.

State Rep By
The Station Officer,
CBCID- Kallakurichi Police Station,
Kallakurichi District.
(Cr.No.4 of 2024)
Now transferred to
The Additional Superintendent of Police,
CBI:STB, Chennai.
(Cr.No.RC5(s) of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.4 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Saravana Kumar
For Respondent : Mr.K.Srinivasan, Senior Counsel,
Special Public Prosecutor for CBI Cases



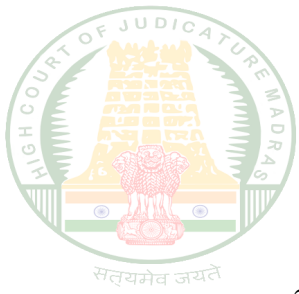
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ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 26.07.2024, seeking bail in Crime No. 4 of 2024 registered for the offences under Sections 328, 302 of IPC, 4(1)(i) and 4(1-A) of TN Prohibition Act.

2. The case of the prosecution is that the de facto complainant's husband had consumed liquor on 19.06.2024, which was sold by the accused Chinnadurai and another; that after consuming liquor, the de facto complainant's husband vomited and had severe stomach pain; that he was admitted in hospital and that, he did not respond to the treatment; since he died and hence, a case was registered and after investigation, the CBCID has filed a final report for the following offences under Sections 304(ii), 120B, 326, 324, 201, r/w 109 Section 7 (a) 4(1)(i) 4(1-A), 14(A), 4(1)(aaa) of TNP Act Section 7 of Tamilnadu Denatured Sprit, Methyl Alcohol and Varnish (French Polish) Rules 1959". Thereafter, this Court had transferred the investigation to the respondent herein.



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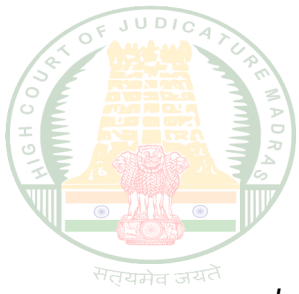
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3. The learned counsel for the petitioner submitted that the petitioner has been in custody from 26.07.2024; some of the co-accused were granted bail by this Court; and that final report has been filed by the CBCID; hence, the petitioner may be granted bail.

4. Mr.K.Srinivasan, learned Special Public Prosecutor for CBI Cases submits that pursuant to the orders of transfer, the case papers were handed over to the CBI and the CBI has re-registered the case as RC.5/S/2025, and that the role played by the accused mentioned in their counter is based on the final report filed by the CBCID. The learned Special Public Prosecutor also fairly submitted that a similarly placed accused by name Gautham Chand Jain and Shahul Hameed who were accused in all the three cases, were released on bail in Crl.O.P.Nos.1945, 1946 and 1949 of 2025 on 18.02.2025 and in Crl.O.P.Nos.1200,122, and 1275 of 2025 on 21.02.2025 respectively..

5. The allegations against the petitioner in as found in the counter in Paragraph No.6 is reads as follows:

" 6. That , from the records collected from CB-CID, and investigation conducted by CBI, it is seen that the accused /petitioner



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used to sell illicit arrack pockets in Kallakurichi area and in this specific instance petitioner/accused Senthil, on 17.06.2024 when approached by accused Chinnathurai, helped the key accused Chinnadurai and another accused Kathiravan in mixing the ethyl alcohol, methyl alcohol mixture with water in the land belongs to one Palanivel at Agarakottalam Village and aided them in transferring the contents from cans to the lorry tyre tubes which were later sold thur different accused persons.

6. Heard the learned counsel appearing for the petitioner and the learned Special Public Prosecutor for CBI Cases for the CBI and perused the materials available on record.

7. Considering the nature of allegations against the petitioner, period of custody and the fact that similarly placed co-accused were granted bail by this Court, this Court is inclined to grant bail on the following conditions:

8. 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**



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Magistrate, No.1, Kallakurichi District:

[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 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 B.N.S.

19.03.2025

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SUNDER MOHAN., J.

sma

To

1. The Judicial Magistrate, No.1, Kallakurichi District
2. The Additional Superintendent of Police,
CBI:STB, Chennai.
3. The Superintendent,
Central Prison, Cuddalore District
4. The Public Prosecutor,
High Court of Madras.

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