



WEB COPY

Crl.O.P.No.4216 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO.4216 of 2025

Mani @ Kuruttu Mani,
S/o. Munusamy,
No.252 Road Street, Suruttal Village,
Menalur Post, Vempakkam Taluk,
Thiruvannamalai District.

Petitioner(s)

Vs

The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District. (Crime No.21 of 2025)

Respondent(s)

For Petitioner(s): Mr. C. Pushparaj

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)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024 r/w 4(1)(i) of the Tamil Nadu Prohibition Act, in Crime No.21 of 2025, on the file of the respondent police, seeks anticipatory bail.



WEB COPY

Crl.O.P.No.4216 of 202



2. The case of the prosecution is that, during a routine patrol within their limits, the respondent Police from the Prohibition Enforcement Wing seized 40 bottles of Express Brandy (180 ml capacity) from the accused/A1 and 46 bottles from the accused/A2 near Pudupalayam Kootrodu. Upon enquiry, it was revealed that the accused A1 and A2 committed the offence based on petitioner's inducement. 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. Further, he submitted that the petitioner, a senior citizen, is arrayed as the accused/A3, solely based on the confession statement of the accused/A1 and A2. He also submitted 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 has provided money to the accused/A1 and A2 to

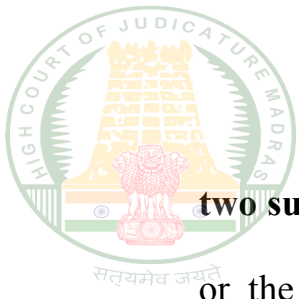


purchase the liquor bottles. Although the petitioner is a senior citizen, he has 42 pending cases, with two cases pending trial. The contraband has been seized, and the petitioner is arrayed as A3 based on the confession statements of A1 and A2.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the counter affidavit.

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 is a senior citizen, 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, Cheyyar**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with



WEB COPY

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:

[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



Crl.O.P.No.4216 of 2025

P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

WEB COPY

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

18-02-2025

klt

To

1.The Inspector of Police,
Dusi Police Station,
Thiruvannamalai District. (Crime No.21 of 2025).



WEB COPY



Crl.O.P.No.4216 of 2025

SUNDER MOHAN, J.

klt

Crl.O.P. No.4216 of 2025

18-02-2025