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Crl OP No.4649 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.4649 of 2025

Ramesh @ Rajesh

... Petitioner

Versus

State by the
The Inspector of Police,
Kallakurichi P.E.W.Police Station,
Kallakurichi District.
Crime No.273 of 2024

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioner on bail in the event of his arrest in connection with Cr.No.273 of 2024 on the file of the Inspector of Police, Kallakurichi P.E.W.Police Station, Kallakurichi District.

For petitioner : Mr.S.Parameshwaran

For Respondent : 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), 4(1)(A) and 4(1)(g) of T.N.P Act in Crime No.273 of 2024, seeks



anticipatory bail.

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2. The case of the prosecution is that the petitioner was found to be in illegal possession of 10 litres of I.D.Arrack and 800 litres of fermented wash.

3. Learned counsel appearing for the petitioner would submit that the allegations are false and in any case, the custodial interrogation of the petitioner is not required. Hence, he prays for grant of anticipatory bail to the petitioner.

4. 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 five cases are pending against the petitioner.

5. Considering the nature of allegations, for that the contraband was seized and since this court is of the view that the custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, 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 learned ***Judicial Magistrate-I, Kallakurichi*** 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 shall report before the respondent police daily at 10.30 a.m., until further orders.

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

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

[d] 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]**;

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

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Vv



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To

1. The Judicial Magistrate-I,
Kallakurichi.
2. The Inspector of Police,
Kallakurichi P.E.W.Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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SUNDER MOHAN, J.

Vv

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