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Crl OP No.5343 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.5343 of 2025

Srivalli

... Petitioner

Versus

The State rep by
Inspector of Police,
Villupuram West,
Villupuram District.
(Cr.No.35 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioner on bail in the event of arrest in connection with Cr.No.35 of 2025 pending investigation on the file of the respondent police.

For petitioner : Mr.D.Balaji

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 4(1)(a), 4(1)(i) of TNP Act, 4(1)(C), 4(1)(A), 14(A) of TNP (Amendment) Act in Crime No.35 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner/accused was



found in possession of 140 brandy bottles.

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3. The learned counsel for the petitioner submitted that the contraband have been seized and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to 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 three previous case against the petitioner and she is on bail in those 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.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the contraband were seized, the petitioner is on bail in the previous cases and since, custodial interrogation is not required for the purpose of investigation, 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 is made ready, before the **Judicial Magistrate-I, Villupuram, Villupuram District** 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 shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be



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registered under Section 269 BNS.

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Vv

To

1. The Judicial Magistrate-I,
Villupuram, Villupuram District.
2. The Inspector of Police,
Villupuram West,
Villupuram District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

SUNDER MOHAN, J.

Vv



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