

Crl.O.P.No.6222 of 2025

SUNDER MOHAN, J.

WEB COPY This Criminal Original Petition is listed today under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. It is brought to the notice of this Court that Crime number has been wrongly typed as "75/2025" instead of "75/2024" in the cause title portion as well as in the prayer portion of the order dated 07.03.2025 in Crl.O.P.No.6222 of 2025.

3. The Registry is directed to correct the Crime number as 75/2024 in the aforesaid two places and issue fresh order copy with the aforesaid corrections.

4. The time granted to furnish sureties in the order dated 07.03.2025 in Crl.O.P.No.6222 of 2025, is extended by a period of two weeks from the date of receipt of a copy of this order.

01.04.2025

Issue order copy by 02.04.2025.
Upload order copy forthwith



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SUNDER MOHAN, J.

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Crl.O.P.No.6222 of 2025

01.04.2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.6222 of 2025

Mathan @ Mathan Mohan
Petitioner

..

Vs.

The State rep by
The Inspector of Police,
Perambur Police Station,
Mayiladuthurai District.
(Crime No.75/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.75 of 2025 on the file of the respondent Police.

For Petitioner : M/s.U.Kathiravan

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 4(1)(aaa), 4(1-A) of the Tamil Nadu Prohibition (Amendment) Act and 328 of IPC



in Crime No.75 of 2024, seeks anticipatory bail.

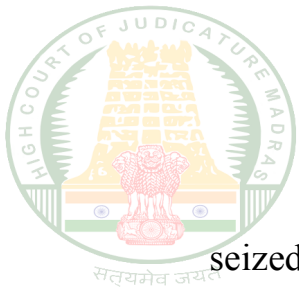
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2. The case of the prosecution is that, A3 and A4 were travelling on a two wheeler and were found in possession of 110 Litres of “Shield Pondy Arrack” and that the petitioner was travelling in another vehicle, which was piloting the vehicle ridden by A3.

3. The learned counsel appearing for the petitioner submitted that the allegations are false; that the petitioner is sought to be implicated only on the confession of co-accused; that the petitioner is on bail in previous cases and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that there are 10 previous cases against the petitioner and 5 previous cases are of a similar in nature.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.



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6. Considering the nature of allegations, the contraband was seized from A3 and A4, the petitioner is sought to be implicated only on the confession of co-accused and since, custodial interrogation of the petitioner 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 **District Munsif cum Judicial Magistrate, Tharangambadi**, 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 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 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 Petitioners in accordance with law as if the conditions have been imposed and the Petitioners 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 BNS.

07.03.2025

Index : Yes / No

Internet : Yes / No

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To

1.The Inspector of Police,
Perambur Police Station,
Mayiladuthurai District.

2.The District Munsif cum Judicial Magistrate,
Tharangambadi.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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07.03.2025