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Crl.O.P.No.6575 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2025

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 6575 of 2025

1. Silambarasan @ Simbu
2. Mani Gandan Jeeva @ Santhoesh ...Petitioners/Accused

Vs.

The State Rep. by
The Inspector of Police,
PEW-Madhavaram North Zone,
Chennai.
(Crime No.6 of 2025) ...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime No.6 of 2025 on the file of the respondent police.

For Petitioners : Mr.R.Karthik

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

ORDER

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1-A)(i) of the Tamil Nadu Prohibition (Amendment) Act, 2024 and 318, 336(3), 340(2) of BNS, 2023 in Crime No. 6 of 2025, on the file of the respondent



police, seek anticipatory bail.

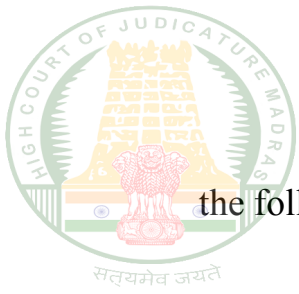
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2. The case of the prosecution is that on secret information, the respondent found A1 in possession of 10 Nos. of fake foreign liquor bottles and that on the confession of A1, the respondent seized 473 bottles of liquor bottles. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they are sought to be implicated on the confession of the co-accused and therefore, prayed for anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and on instructions submitted that the contraband has been seized; that the petitioners have no bad antecedents; and that they are sought to be implicated only on the confession of the co-accused.

5. Considering the nature of allegations, the fact that the petitioners are sought to be implicated on the confession of the co-accused/A1, the fact that the contraband was seized; that the petitioners have no bad antecedents, this Court is inclined to grant anticipatory bail to the petitioners, subject to



the following conditions:

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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned District Munsif-cum-Judicial Magistrate, Madhavaram, Chennai**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with 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 and on further condition that:

[a] the petitioners 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 Petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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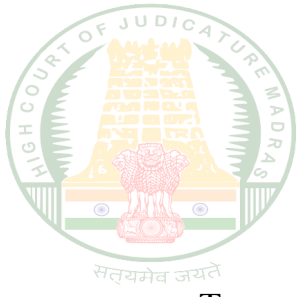
[d] the petitioners shall not abscond either during investigation or trial.

[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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

07.03.2025

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SUNDER MOHAN, J.

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To

1.The Inspector of Police,
PEW-Madhavaram North Zone,
Chennai.

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

3.The District Munsif-cum-Judicial Magistrate,
Madhavaram, Chennai

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