

SUNDER MOHAN. J.,

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioner.

2. The learned counsel appearing for the petitioner submitted that on 12.03.2025, this Court had granted bail to petitioner herein in Crl.O.P.No.7153 of 2025. However, in the order, the offence is wrongly mentioned as *4(1)(a), 4(1-A)(i) of TN Prohibition Act and Section 4(1)(c), 4(1-A)(ii) of the TN Prohibition (Amendment) Act 2024* instead of **296 (b) and 109(1) of BNS [IPC 294, 307]**. Thus, he prayed for suitable directions.

3. Considering the submissions made by the learned counsel for the petitioner, Registry is directed to issue order copy afresh forthwith, by correcting paragraph No.1 of the order as follows:

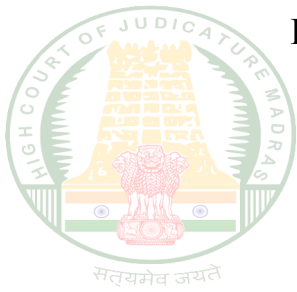
“This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 22.02.2025, seeking bail in Crime No.86 of 2025 registered for the offence under Sections 296 (b) and 109(1) of BNS [IPC 294, 307].”

14.03.2025

Issue order copy by 17.03.2025.

Upload order copy forthwith

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

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THE HON'BLE MR. JUSTICE SUNDER MOHAN

CrI.O.P.No.7153 of 2025



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Manokaran

... Petitioner

Vs.

State Rep. by its
The Inspector of Police
Mettur Police Station
Salem District.
(Crime No.86 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail in Crime No.86 of 2025 on the file of the respondent police.

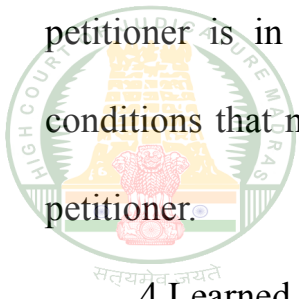
For Petitioner : Mr.C.Deepakkumar
For Respondent : Mr.Leonard Arul Joseph Selvam
Learned Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 22.02.2025, seeking bail in Crime No.86 of 2025 registered for the offence under Section 4(1)(a), 4(1-A)(i) of TN Prohibition Act and Section 4(1)(c), 4(1-A)(ii) of the TN Prohibition (Amendment) Act 2024.

2.The case of the prosecution is that due to a money dispute the petitioner assaulted the de facto complainant with a brandy bottle and abused him with filthy language.

3.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that the



petitioner is in custody from 22.02.2025 and he is ready to abide by any strict conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

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4.Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case. The learned Government Advocate further submitted that there are no previous cases against the petitioner.

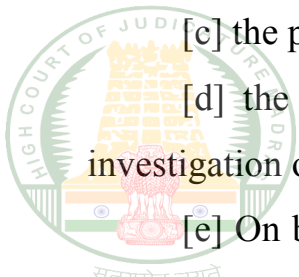
5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration undergone by the petitioner, the fact that the petitioner has no bad antecedents and since further custody is not required for the purpose of interrogation, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate I, Mettur, and on further conditions that:

[a] 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, everyday at 10.30 a.m., until further orders;



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

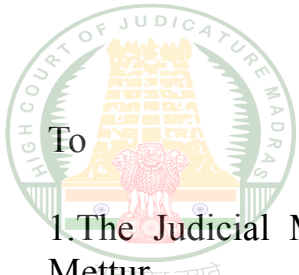
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 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 of B.N.S.

12.03.2025

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SUNDER MOHA



To

1.The Judicial Magistrate I,
Mettur व जयते

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2.The Inspector of Police
Mettur Police Station
Salem District.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.7153 of 2025

12.03.2025