



WEB COPY

CRL OP NO. 7424 of 202



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 7424 of 2025

1. MANIVANNAN
2. Mangaiyarkarasi
3. Vijaya
4. Vijaya Lakshmi

Petitioner(s)

Vs

State Rep By The Inspector Of Police
Palaiyur Police Station, Mayiladuthurai District.

Crime No.43 Of 2025

Respondent(s)

For Petitioner(s):

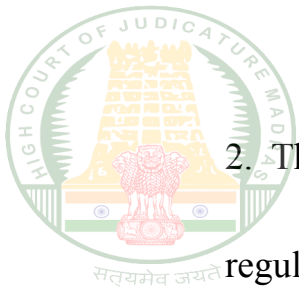
Mr. P.Krishna Moorthy
K.Rohini

For Respondent(s):

Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(A), 4(1-A)(i) of Tamil Nadu Prohibition Act, 2024 in Crime No.43 of 2025, on the file of the respondent police, seek anticipatory bail.



WEB COPY

2. The case of the prosecution is that, while the respondent Police were on regular check-up, found that the petitioners along with the other accused were

illegally transporting 110 litres of 180ml Shield Pondy Arrack. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case based on the confession of A5; that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertake to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioners, stating that the petitioners were involved in illegal transportation of 110 litres of 180ml Shield Pondy Arrack; that the accused A1, A2 and A4 have 67 previous cases each; A3 has three previous case.

5. Taking note of the facts and circumstances of the case, considering the nature of allegation against the petitioners, submissions made by the learned



WEB COPY

counsels on either side and the fact that petitioners 1,2 and 4 have 67 previous case, this Court is not inclined to grant anticipatory bail to the petitioners 1,2 and

4 and this anticipatory bail petition is dismissed as against the petitioners 1,2 and

4. As far as the 3rd petitioner/A3 is concerned, she is on bail in all the other cases and implicated only on the confession of the arrested accused, the contraband was seized and since custodial interrogation of the 3rd petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the 3rd petitioner/A3 with certain conditions.

6. Accordingly, the 3rd petitioner/A3 is ordered to be released on bail in the event of arrest or on her 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, Tharangambadi** on condition that the 3rd petitioner shall execute a separate 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



WEB COPY

dismissed and on further condition that:



[a] the 3rd 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 3rd petitioner shall report before the respondent police, everyday at 10:30 a.m., until further orders;

[c] the 3rd petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the 3rd 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 3rd petitioner in accordance with law as if the conditions have been imposed and the 3rd 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].



WEB COPY



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

14-03-2025

msv

To
The Inspector Of Police
Palaiyur Police Station,
Mayiladuthurai District.