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CRL OP No. 7753 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7753 of 2025

1. Manivannan

S/o. Jayaraman, No.11/84, Anna Nagar,
Kuthallam, Ezhumagalur,
Nagapattinam - 609 403.

2. Vijaya

W/o. Manivannan, No.11/84, Anna
Nagar, Kuthallam, Ezhumagalur,
Nagapattinam - 609 403.

Petitioner(s)

Vs

1.State Rep.By,
The Inspector Of Police,
Palaiyur police Station,
Mayiladuthurai District. Cr.No.46/2025.

Respondent(s)

CRL OP No. 7753 of 2025

PRAYER

To enlarge the petitioner on bail in the event of his apprehending arrest at the hands of the respondent pending investigation in Palaiyur Cr.No.46 of 2025 on the file of the respondent police.



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For Petitioner(s): Mr. P. Krishna Moorthy

For Respondent(s): Mr. S. Santhosh,
Government Advocate

ORDER

The petitioners / A1 & A2, who apprehend 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 Amendment Act in Crime No. 46 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the petitioners/A1 & A2 along with other accused/A3 were found in possession of 620 brandy bottles without any valid license; and that on seeing the police the petitioners/A1 and A2 and A3 ran from the scene. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the second petitioner/A2 is a lady and she is on bail in two previous cases; and that in any case, custodial interrogation is not required and sought for anticipatory bail for the petitioners.



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4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the first petitioner/A1 has 67 previous cases and the second petitioner/ A2 has two previous cases. He further submitted that the contraband was seized.

5. Considering the fact that the first petitioner / A1 has 67 previous cases, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this Criminal Original Petition is dismissed with regard to first petitioner /A1.

6. As regards the second petitioner, a lady, it is seen that the contraband has been seized. She is on bail in two previous cases and since custodial interrogation is not required, this Court is inclined to grant anticipatory bail to her with certain conditions.



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7. Accordingly, the second petitioner 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 second petitioner shall execute 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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

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

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



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[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.

17-03-2025

AT

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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SUNDER MOHAN, J.

AT

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To

1.State Rep.By,
The Inspector Of Police,
Palaiyur police Station, Mayiladuthurai
District. Cr.No.46/2025.

CrI. O.P. No. 7753 of 2025