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Crl.O.P.No.9876 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.9876 of 2025

Chinnadurai

...Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
(Crime No.420 of 2024).

... Respondent

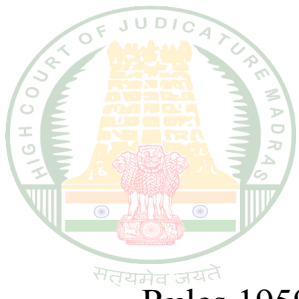
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.420 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.D.Ilayaraja

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 17.03.2025, seeking bail in Crime No.420 of 2024 registered for the offence under Sections 174 of Cr.P.C @ 304(ii) of IPC read with Sections 4(1-i), 4(1-A) of TNP Act read with Section 7 of Tamil Nadu Denatured Spirit Methyl Alcohol and Varnish (French Polish)



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Rules 1959.

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2. The case of the prosecution is that the petitioner along with other accused were involved in selling illicit arrack. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that initially petitioner was arrested in respect of the Crime No.417 of 2024 registered with regard to the Kallakurichi hooch tragedy; that the said case was transferred to CB CID Kallakurichi; that thereafter the petitioner was enlarged on bail by this Court, however, the petitioner was arrested by the respondent police for the very same offence registered in Crime No.420 of 2024 and in any case petitioner is in custody from 17.03.2025 and the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and confirmed the fact that the petitioner was enlarged on bail on the earlier case that was registered in Crime No.417 of 2024. He further submitted that the similarly placed accused in this case were also released on bail.



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5. Considering, the nature of allegations; the fact that the co-accused were granted bail by this Court, the period of incarceration; and since further custody is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioner with certain conditions.

6. 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 **Chief Judicial Magistrate, Kallakurichi**

[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



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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 B.N.S.

07.04.2025

Sma

To

- 1.Chief Judicial Magistrate, Kallakurichi.
- 2.The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
3. The Superintendent,
Central Prison, Cuddalore District.
4. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN., J.

Sma

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