



WEB COPY



Crl.O.P.No.10030 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10030 of 2025

Janarathanan

Petitioner(s)

Vs

The State Represented by,
The Inspector of Police,
Tharamangalam Police Station,
Salem City. (Crime No.53 of 2025)

Respondent(s)

For Petitioner(s) : Mr.Thanga Vadhana Balakrishnan

For Respondent(s) : Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent in Crime No.53 of 2025 on the file of the Respondent.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Section 4(1)(k) of the Tamil Nadu Prohibition Act, Section 4(1)(B) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.53 of 2025, on the file of the respondent Police, seeks anticipatory bail.



CrI.O.P.No.10030 of 2025

WEB COPY

2. The case of the prosecution is that based on secret information with regard to illegal sale of alcohol, the respondent police conducted a search at Koneri Valavu Tasmac, wherein they found that the petitioner is the owner of the shop and that A-2, along with other accused persons was found to be consuming alcohol, without any valid permission.

3. Learned counsel appearing for the petitioner submitted that the petitioner, aged about 40 years, is innocent; that he has been falsely implicated in this case and hence, he prayed for anticipatory bail for the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the bottles were seized and that there are nine previous cases against the petitioner and he is on bail in those cases.

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

6. Considering the nature of allegations, the fact that the petitioner is on bail in the other cases and since, custodial interrogation is not required for the



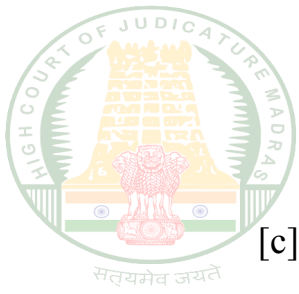
Crl.O.P.No.10030 of 2025

purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Principal District and Sessions Judge, Salem** on condition that the petitioner shall execute a 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 conditions that:

[a] the 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 petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the "**District Legal Services Authority, Salem**", without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of her guilt.



Crl.O.P.No.10030 of 2025

[c] the petitioner shall report before the respondent police everyday at

10.30 a.m., until further orders.

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

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

[f] 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].

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

drl

09-04-2025

To

1. The Inspector of Police,
Tharamangalam Police Station,
Salem City.

2. The Principal District and Sessions Judge,
Salem.

CRL OP No. 10030 of 2025