



WEB COPY



Crl O.P.No.9924 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 9924 of 2025

Parimala

Petitioner/Sole Accused

Vs

The State Rep by,
The Inspector of Police,
Tirupathur PEW,
Tirupathur District.
(Crime No.49 of 2025)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 to enlarge the petitioner/Accused on anticipatory bail in the event of arrest in Crime No. 49 of 2025 pending on the file of the respondent police.

For petitioner : M/s. Balaji

For Respondent : Mr.S.Balaji

Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(C) and 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.49 of 2025, on the file of the respondent police, seeks anticipatory bail.



Crl O.P.No.9924 of 2025

WEB COPY

2. The case of the prosecution is that the petitioner was found in possession of 18 bottles of Bangalore Rum each containing 90 ml and 4 bottles of Old Chief XXX Rum each containing 180 ml.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case; and prayed for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. 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 there is one previous case against the petitioner.

5. Taking note of the facts and circumstances of the case, the nature of the allegations, submissions made by the learned counsels on either side, the fact that the contraband were seized, the petitioner is on bail in the previous case, and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



WEB COPY

6. Accordingly, the 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 of receipt of a copy of this order, before the **learned Judicial Magistrate No. I, Thirupathur, Thirupathur District** 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 shall report before the respondent police everyday at 10:30 a.m., until further orders.

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



WEB COPY



Crl O.P.No.9924 of 2025

[d] the 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 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.

03.04.2025

vca



Crl O.P.No.9924 of 2025

WEB COPY

To:

1. The Inspector of Police,
Tirupathur PEW,
Tirupathur District.
2. The Judicial Magistrate No. I,
Thirupathur, Thirupathur District.
3. The Public Prosecutor,
Madras High Court.



WEB COPY



Crl O.P.No.9924 of 2025

SUNDER MOHAN, J.

vca

CRL OP NO. 9924 of 2025

03.04.2025