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Crl.O.P.No.11002 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11002 of 2025

1.Rahim
2.P.Ramesh

Petitioner(s)

Vs

The State Represented by,
Inspector of Police,
PEW Tindivanam Police Station,
Villupuram District.
(Crime No.46 of 2025)

Respondent(s)

For Petitioner(s) : Mr.S.Prabudoss

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

PRAYER To enlarge the petitioners on anticipatory bail in the event of his arrest by the respondent in Crime No.46 of 2025 on the file of the Respondent.

ORDER

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 4(1)(a), 4(1)(i) of Tamil Nadu Prohibition Act, 4(1)(C), 4(1)(A) and 14(A) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.46 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that on secret information, the respondent police went to the scene of occurrence on 31.03.2025 and found that the petitioners were found to be in illegal possession of 60 bottles (each 750 ml) of liquors.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case and prayed for anticipatory bail for the petitioners.

4. Learned Government Advocate (Criminal 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 bottles were seized and that the petitioners have no bad antecedents.

5. Heard the learned counsel for the petitioners, 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 contraband was seized, the petitioners have no bad antecedents and since custodial interrogation of the petitioners are not required for the purpose of investigation, this Court is inclined



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to grant anticipatory bail to the petitioners with certain conditions.

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[a] the petitioners 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 petitioners shall report before the respondent Police daily at 10.30 a.m, until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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



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SUNDER MOHAN J.

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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 of B.N.S.

drl

15-04-2025

To

1. The Inspector of Police,
PEW Tindivanam Police Station,
Villupuram District.

2. The Public Prosecutor,
High Court, Madras.

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