

Crl.O.P.No.11766 of 2025

SUNDER MOHAN. J.,

This matter is posted today before this Court under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioners.

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2. The learned counsel appearing for the petitioners submitted that on 22.04.2025, this Court had granted anticipatory bail to the petitioners in Crl.O.P.No.11766 of 2025. However, in the order, the offence is wrongly mentioned as *Sections 4(1)(a) and 4(1)(i) of Tamil Nadu Prohibition Act, 2024* instead of *Sections 4(1)(a), 4(1)(i) of Tamil Nadu Prohibition Act and Sections 4(1)(C), 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act, 2024*. Thus, she prayed for suitable directions.

3. Considering the submissions made by the learned counsel for the petitioners, Registry is directed to issue order copy afresh forthwith, by correcting paragraph No.1 of the order as follows:

“The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a), 4(1)(i) of Tamil Nadu Prohibition Act and Sections 4(1)(C), 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.24 of 2025, seek anticipatory bail.”

4. Further, time to furnish surety is extended by a period of two weeks from the date of receipt of a copy of this order.

10.06.2025

Issue order copy today
Upload order copy forthwith
dk



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SUNDER MOHAN. J.,

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Crl.O.P.No.11766 of 2025

10.06.2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: **22.04.2025**

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THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP NO. 11766 of 2025

1. Arul
2. Arunkumar Vs petitionerss/A1 & A2

The State Rep by,
The Inspector of Police,
PEW Tiruvannamalai Police Station,
Tiruvannamalai District.
(Crime No.24 of 2025)

Respondent

Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023 to enlarge the petitioners/Accused on
anticipatory bail in the event of arrest in Crime No. 24 of 2025 pending on
the file of the respondent police.

For petitioners : Mr. E Sathyaraj Elangovan
For Respondent : Mr.S.Balaji
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Sections 4(1)(a) and 4(1)(i) of the
Tamil Nadu Prohibition Act, 2024, in Crime No.24 of 2025, on the file of



the respondent police, seek anticipatory bail.

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2. The case of the prosecution is that the petitioners were found in illegal possession of 27 bottles of Mclene Brandy.

3. The learned counsel for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case; and in any case, custodial interrogation of the petitioners is not required and sought for anticipatory bail.

4. The 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 submitted that the contraband were seized and the first petitioner has 20 previous cases out of which three cases are pending and the second petitioner also has previous cases.

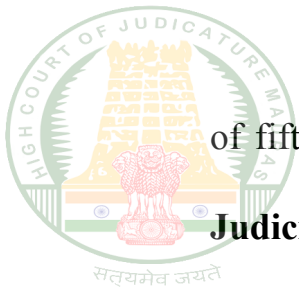
5. At this juncture, the learned counsel for the petitioners submitted that the petitioners, without prejudice to their defense and



contention, are ready and willing to deposit an amount of Rs.5,000/- as non-refundable deposit to any welfare scheme of the Government or any other organization. Hence, he prayed for grant of anticipatory bail to the petitioners.

6. Taking note of the facts and circumstances of the case, the nature of allegations, the fact that the contraband has been seized; the petitioners are willing to deposit an amount of Rs.5,000/- as non-refundable deposit to any welfare scheme; the petitioners are on bail in the other previous cases and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are directed to make a non-refundable deposit of **Rs.5,000/- [Rupees Five Thousand Only]** directly to the credit of “**District Legal Services Authority, Tiruvannamalai**”, without prejudice to their rights and contentions before the trial Court, on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period



of fifteen days from the date of receipt of a copy of this order, before the

Judicial Magistrate-II, Tiruvannamalai on condition that the petitioners

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 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 everyday 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 action against the



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petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

22.04.2025

vca

To:

1. The Inspector of Police,
PEW Tiruvannamalai Police Station,
Tiruvannamalai District..
2. The Judicial Magistrate-II,
Tiruvannamalai.
3. The Public Prosecutor,
Madras High Court.



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