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Crl. O.P. No.13248 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.13248 of 2025

Anbarasu S/o. Muthu @ Mathew

... Petitioner/Accused

Vs.

The State represented by-

The Inspector of Police,
PEW Madhavaram,
Chennai.
(Crime No.6 of 2025).

... Respondent

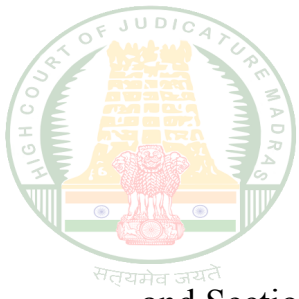
PRAYER: Criminal Original Petition filed under Section 483 of BNSS, pleaded to enlarge the petitioner on bail, in connection with the Crime No.6 of 2025, pending investigation on the file of the respondent Police.

For Petitioner : Mr.C.C. Chellappan

For Respondent : Ms. J.R. Archana
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 30.01.2025, seeking bail in Crime No.6 of 2025 registered for the offences under Sections 4(1)(A)(i) of TNP Act



Crl. O.P. No.13248 of 2025

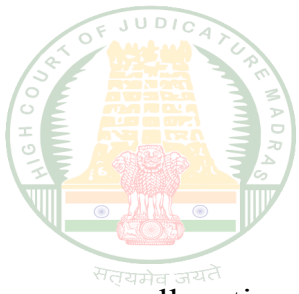
and Sections 318, 336(3) and 340(2) of B.N.S.

2. The case of the prosecution is that the petitioner was procuring liquor from Puducherry and was selling it at a higher cost.

3. The learned counsel appearing for the petitioner submitted that the allegations against the petitioner are false; that he has nothing to do with the alleged offences; that the earlier bail petition filed by the petitioner was dismissed on the ground that the petitioner was detained under Goondas Act; that now the detention order was revoked; and that in any case, considering the period of incarceration, further custody of the petitioner is not required and prayed that the petitioner may be released on bail.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing grant of bail to the petitioner, reiterated the prosecution case and on instructions, confirmed the aforesaid facts and submitted that the petitioner has no bad antecedents and the detention order under Goondas Act has now been revoked.

5. Considering the aforesaid submissions made on either side, nature of



Crl. O.P. No.13248 of 2025

allegations, period of incarceration and the fact that the petitioner has no bad antecedents, this Court is of the view that further custody of the petitioner is not required for the purpose of investigation. Hence 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 **District Munsif-cum-Judicial Magistrate, Avinashi, Madhavaram, Chennai.**

[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 daily 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;



WEB COPY



Crl. O.P. No.13248 of 2025

[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 B.N.S.

28.04.2025

mjs

To

1. The District Munsif-cum-Judicial Magistrate, Avinashi, Madhavaram, Chennai.
2. The Inspector of Police, PEW Madhavaram, Chennai.
3. The Superintendent of Police, Central Prison, Puzhal, Chennai.
4. The Public Prosecutor, High Court of Madras.



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Crl. O.P. No.13248 of 2025

SUNDER MOHAN., J.

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Crl. O.P. No.13243 of 2025

28.04.2025