



WEB COPY

CRL OP No. 11628 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 11628 of 2025

1. Ammu

W/o.Babu, No.118, Madapalli Colony,
Madavalam Post, Thirupattur Taluk,
Thirupattur District

Petitioner(s)

Vs

1. The State is Rep by its, The Inspector
of Police,
Thirupathur PEW Police Station,
Thirupathur District. (Crime No. 55 of
2025).

Respondent(s)

PRAYER

To enlarge the petitioner on bail in the event of arrest at the hands of the Respondent Police in Crime No.55/2025, pending on the file of the Inspector of Police, Thirupathur PEW Police Station, Thirupathur District.

For Petitioner(s): Mr.A.Bharani Chandar

For Respondent(s): Public Prosecutor



ORDER

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2. The case of the prosecution is that on 17.03.2025, the respondent police found the petitioner in illegal possession of 19 packets, each containing 180 ml of Carnival XXX Rum. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is innocent; that he has been falsely implicated in this case; and that in any case, the custodial interrogation of the petitioner is not required and sought anticipatory bail to 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 petitioner has no bad antecedents.

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5. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, the fact that the contraband was seized and the petitioner has no bad antecedents, this Court is of the view that custodial interrogation of the petitioner is not required for the purpose of investigation and hence, is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 on which the order copy is made ready, before the ***Learned Judicial Magistrate-II, Thirupathur***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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:

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[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 daily at 10.30 a.m., until further orders.

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

[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 BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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of Police,
Thirupathur PEW Police Station,
Thirupathur District. (Crime No. 55 of
2025).

2. The Judicial Magistrate-II,
Thirupathur.
3. The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN J.

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