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*Crl.O.P.Nos.13209, 13218, 13595, 14432,
14506, 14801, 16764 & 17375 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 20.06.2025
PRONOUNCED ON : 25.06.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.Nos.13209, 13218, 13595, 14432,
14506, 14801, 16764 & 17375 of 2025

Crl.O.P.No.13209 of 2025

Dhamotharan

... Petitioner

Vs.

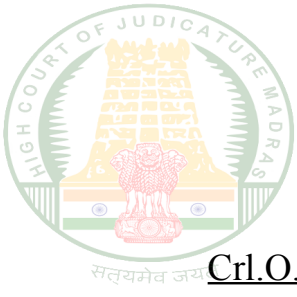
State rep. by
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi & District.
Crime No.420 of 2024

... Respondent

PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in connection with Crime No.420 of 2024 on the file of the Inspector of Police, Kallakurichi Police Station, Kallakurichi & District.

For Petitioner : Mr.S.Senthilvel
for Mr.R.Prabudoss

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John



*Crl.O.P.Nos.13209, 13218, 13595, 14432,
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Crl.O.P.No.13218 of 2025

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Kannukutty @ Govindharaj

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi & District.
Crime No.420 of 2024

... Respondent

PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in connection with Crime No.420 of 2024 on the file of the Inspector of Police, Kallakurichi Police Station, Kallakurichi & District.

For Petitioner : Mr.S.Senthilvel
for Mr.R.Prabudoss

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

Crl.O.P.No.13595 of 2025

Madhesh

... Petitioner

Vs.

State rep. by
The Inspector of Police,
G-1 Kallakurichi Police Station,
Kallakurichi District.

... Respondent



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PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in connection with Crime No.420 of 2024 on the file of the respondent police.

For Petitioner : Mr.S.T.Vashanth Manivel

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

Crl.O.P.No.14432 of 2025

Sakthivel

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
Crime No.420 of 2024

... Respondent

PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in connection with Crime No.420 of 2024 on the file of the respondent.

For Petitioner : Mr.S.J.Raja Janakiraman

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

Crl.O.P.No.14506 of 2025

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WEB COPY Sivakumar

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
Crime No.420 of 2024

... Respondent

PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in connection with Crime No.420 of 2024 on the file of the respondent police.

For Petitioner : Mr.P.K.Ganesh

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

Crl.O.P.No.14801 of 2025

Nadupaiyan @ Joseph

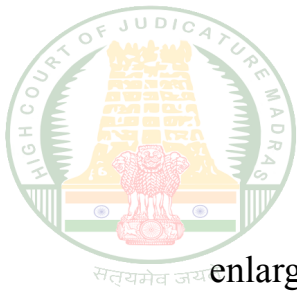
... Petitioner

Vs.

The State rep. by
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
Crime No.420 of 2024

... Respondent

PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to



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enlarge the petitioner on bail in connection with Crime No.420 of 2024 on
the file of the respondent.

For Petitioner : Mr.M.B.Mushtaque Ahamed
For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

Crl.O.P.No.16764 of 2025

Muthu @ Vedimuthu ... Petitioner

Vs.

State rep. by
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District.
Crime No.420 of 2024 ... Respondent

PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to
enlarge the petitioner on bail in connection with Crime No.420 of 2024 on
the file of the respondent police.

For Petitioner : Mr.V.Gunasekar
For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

Crl.O.P.No.17375 of 2025



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WEB COPY Kannan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
Crime No.420 of 2024

... Respondent

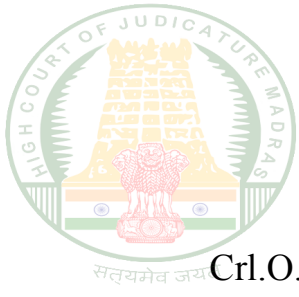
PRAYER : Criminal Original Petition is filed under Section 483 of BNSS, to enlarge the petitioner on bail in connection with Crime No.420 of 2024 on the file of the respondent.

For Petitioner : Mr.B.Abdul Samath

For Respondent : Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by Mr.M.Sylvester John

COMMON ORDER

Crl.O.P.No.13209 of 2025 is filed by A2 in FIR/A12 in Charge Sheet,
Crl.O.P.No.13218 of 2025 is filed by A1 in FIR/A11 in Charge Sheet,
Crl.O.P.No.13595 of 2025 is filed by A8 in FIR/A1 in Charge Sheet
Crl.O.P.No.14432 of 2025 is filed by A13 in FIR/A17 in Charge Sheet,
Crl.O.P.No.14506 of 2025 is filed by A15 in FIR/A19 in Charge Sheet,



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Crl.O.P.No.14801 of 2025 is filed by A6 in FIR/A2 in Charge Sheet,
Crl.O.P.No.16764 of 2025 is filed by A14 in FIR/A20 in Charge Sheet and
Crl.O.P.No.17375 of 2025 is filed by A5 in FIR/A5 in Charge Sheet.

2.The petitioners, who were arrested and remanded to judicial custody for the offence punishable under Section 174 r.P.C. altered to Sections 304(ii) IPC, 4(1-i), 4(1-A) of Tamil Nadu Prohibition Act and Section 7 of Tamil Nadu Denatured Spirit Methyl Alcohol and Varnish (Fresh Polish) Rules, 1959. in connection with Crime No.420 of 2024 on the file of the respondent, seek bail.

3.The gist of the prosecution case is that on 21.06.2024 at about 21.00 hours, the defacto complainant lodged a complaint before the respondent police stating that he is residing at North Street, Niramani Village, Veppur Taluk, Cuddalore District and his father Thangarasu/deceased, aged about 70 years, is a wood carver. He often comes to Kallakurichi to work on wood carving. After finishing the work, he stays at the work shed for a few days. He was working in Kallakurichi for the past one month and stays there and



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he has drinking habit. In this situation, on 21.06.2024, the defacto complainant heard that many people died in Kallakurichi due to drinking alcohol. Since the complainant's father has a drinking habit, he asked his younger brother Thirumurthy to inquire where the deceased is staying. Then the complainant's brother came to Kallakurichi and searched for his father and when he was not found, the complainant's brother came to Kallakurichi Police Station and inquired. On 19.06.2024 at about 18.00 hours in the evening, the people there informed the Police that a body was found dead in front of Jimma Palli Vaasal near the four-branch junction in Kallakurichi and body kept in the mortuary of the Kallakurichi Government Hospital Medical College. The complainant and his relatives came to Kallakurichi Government Hospital and identified the body in the mortuary. Hence, the case.

4.The contention of the learned counsel for the petitioners is that the petitioners are poor farmers and rustic villagers and some of their lands were used to store some cans and they were not aware of its contents. In some cases, they were asked to mix the chemical with other liquids and without

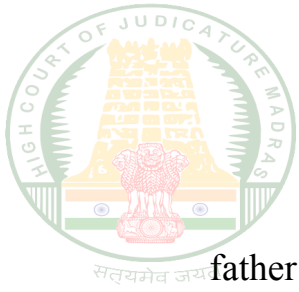


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any knowledge of the chemical and its reaction, they mixed it as per the directions given. Later, the petitioners came to know that the mixture of liquid was Methanol which was deadly and the consumption of Methanol by the Villagers caused irritation, vomiting causing permanent ailments and in some cases, loss of life. Due to the Kallakurichi hooch tragedy, 67 persons died and in view of the same, this case got wide publicity and hence, the petitioners are detained endlessly. He would submit that in similar cases, investigation in Crime Nos.417 of 2024, 334 of 2024 and 250 of 2024 has been transferred to CBI and registered as RC.Nos.3, 4 and 5 of 2025, in which most of the accused granted bail. As regards the present case, the case is now investigated on the proceedings of the Superintendent of Police, Kallakurichi by the Deputy Superintendent of Police, Kallakurichi Division, from 04.02.2025 and filed charge sheet on 02.06.2025. In view of the same, further detention of the petitioners is not required.

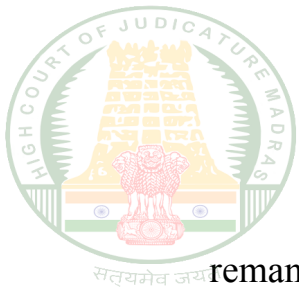
5.The learned Additional Public Prosecutor filed his counter in each of the cases and submitted that on 21.06.2024 at about 21.00 hours, the defacto complainant lodged a complaint to the respondent police stating that his



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father Thangarasu/deceased, who is a wood carver comes to Kallakurichi to work on wood carving. After finishing the work, he stays at the work shed for a few days and he has a drinking habit. On 21.06.2024, the defacto complainant heard many people died in Kallakurichi due to drinking alcohol. Since the complainant's father has a drinking habit, he requested his younger brother to find where the deceased is staying. The complainant's brother came to Kallakurichi and searched for his father. On 19.06.2024 at about 18.00 hours in the evening, people informed the Police that a body was found dead in front of Jimma Palli Vaasal near the four-branch junction in Kallakurichi and was kept in the mortuary of the Kallakurichi Government Hospital Medical College. Thereafter, the complainant and his relatives came to Kallakurichi Government Hospital, identified the body in the mortuary, confirmed that it was defacto complainant's father. Based on the statement of witnesses and final opinion, the Inspector of Police altered the section of this case into Sections 304 (ii) IPC r/w 4(1-i), 4(1-A) TNP Act r/w 7 of Tamil Nadu Denatured Spirit, Methyl Alcohol and Varnish (French Polish) Rules 1959. During the course of investigation, the then Deputy Superintendent of Police arrested the accused persons on various dates and



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remanded to judicial custody. The accused details are given below:

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S.No.	Accused Name & Rank	Date of Arrest	Bail Details
1	Madhesh/A1	16.05.2025	Now he is in Central Prison, Cuddalore
2	Nadupayan/A2	18.03.2025	Now he is in Central Prison, Cuddalore
3	Chinnadurai/A3	18.03.2025	Now he is in Central Prison, Cuddalore
4	Kannan/A5	14.05.2025	Now he is in Central Prison, Cuddalore
5	Kannukutti Govindaraj/A11 @	25.02.2025	Now he is in Central Prison, Cuddalore
6	Damotharan/A12	25.02.2025	Now he is in Central Prison, Cuddalore
7	Sakthivel/A17	24.04.2025	Now he is in Central Prison, Cuddalore
8	Sivakumar/A19	24.04.2025	Now he is in Central Prison, Cuddalore
9	Arimuthu Vedimuthu/A2 @	14.05.2025	Now he is in Central Prison, Cuddalore
10	Senthil/A6	Absconding	
11	Ayyasamy/A7	Absconding	
12	Periyasamy/A8	Absconding	
13	C.Kannan/A9	Absconding	
14	Siva/A10	Absconding	
15	Elumalai/A16	Absconding	

6.The learned Additional Public Prosecutor further made strong objection as regards Kannukutti, Madhesh, Nadupayan @ Joseph and Damotharan since they are all regular offenders who are dealing with illicit



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arrack. Initially they were brewing, since there was serious restrictions and regular raids, to make fast money, they sourced Methanol from the chemical dealers and factories and directly sold as alcohol, which caused the death of innocent villagers. He further submitted that further investigation is in progress in this case. Hence, strongly opposed the bail application.

7.Considering the submissions made and on perusal of the materials, it is seen that the petitioners in this case are poor farmers, some of their lands are used to store cans and the petitioners had no knowledge on the contents in it. Further, in some cases the petitioners mixed the chemical with other liquids as per the directions without having knowledge of the chemical reaction. They involved in these activities for small money. The investigation in this case is in progress. Further, this Court granted bail to one of the co-accused in Crl.O.P.No.14572 of 2025 dated 16.05.2025. Taking into consideration the villagers social background, having no or little knowledge of the consequences they got involved, further considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.



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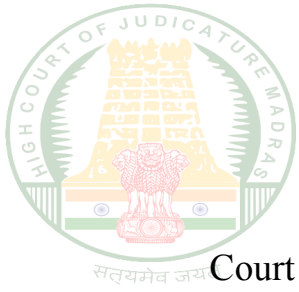
8. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kallakurichi and the learned Chief Judicial Magistrate, Chengalpattu (Crl.O.P.No.14432 of 2025) and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] the petitioners shall report before the respondent Police as and when required for interrogation;

[c] the petitioners shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

[d] the petitioners to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, they shall comply to the directions as may be given by the



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Court in this regard;

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[e]On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283];

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

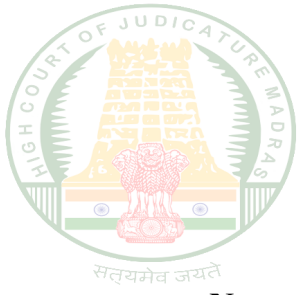
25.06.2025

Speaking Order/Non Speaking Order

Index : Yes/No

Neutral Citation: Yes/No

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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

- 1.The Judicial Magistrate No.I,
Kallakurichi.
- 2.The Chief Judicial Magistrate,
Chengalpattu.
- 3.The Central Prison,
Cuddalore.
- 4.The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
- 5.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

cse

Pre-delivery order made in

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25.06.2025