



Crl.O.P.No.14797 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.05.2025**

CORAM

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

CRL.O.P.No.14797 of 2025

1.Parameshwari
2.Amsam

... Petitioners

Versus

The State rep by,
The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.
(Crime No.171 of 2025)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of BNSS Act, to enlarge the petitioners on bail in the event of their arrest by the police in Crime No.171 of 2025 on the file of the respondent police.

For Petitioners : Mr.M.Vinoth

For Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)



CrI.O.P.No.14797 of 2025

WEB COPY

ORDER

The petitioners, apprehend arrest for the alleged offences under Section 4(1)(B) of TNP (Amendment) Act, 2024 in Crime No.171 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that based on the secret information the respondent police went to Thoduvai Village at the time two persons have trying to sell the brandy bottles when the respondent police reached there and have found that there is illegal possession of 32 bottles of Pondy brandy, however these petitioners escaped from the scene of occurrence. Hence, the complaint.

3.Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that the petitioners are no way connected with the alleged offence, however, without prejudice to the defence and contention, is ready and willing to deposit a sum of Rs.10,000/- each to any welfare scheme of the Government or any other organization. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail to the petitioners, reiterated the prosecution case and submitted that the contraband was seized.



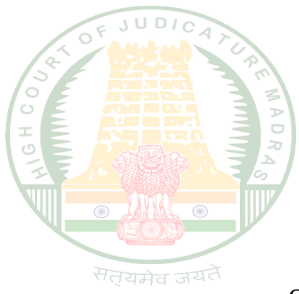
CrI.O.P.No.14797 of 2025

WEB COPY

5. Heard both sides and perused the materials available on record.

6. Considering the voluntary submission made by the learned counsel for the petitioners, the petitioners are directed to deposit a sum of Rs.10,000/- each (Rupees Ten Thousand only) as non-refundable deposit, to the credit of **RAY OF LIGHT FOUNDATION; A/c No.50100078904233; IFSC Code: HDFC0001864; Branch: Habibullah Road, T Nagar, Chennai**, without prejudice to the right of defence before the Trial Court and making it clear that it would not amount to admission of guilt.

7. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side and considering the fact that the petitioners without prejudice their rights, on their own volition, is ready and willing to contribute some amount to any charitable trust, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



Crl.O.P.No.14797 of 2025

WEB COPY

8. Accordingly, 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 on which the order copy made ready, before the learned **Judicial Magistrate, Sirkazhi**, on condition that the petitioners shall execute separate 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

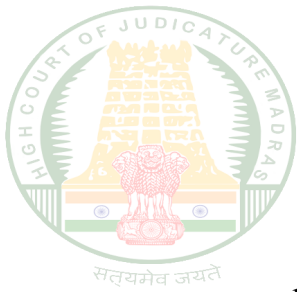
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., for a period of one month and thereafter, as and when required for further interrogation;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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



CrI.O.P.No.14797 of 2025

WEB COPY

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.

09.05.2025

VV

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 learned Judicial Magistrate Court, Sirkazhi.

2.The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai District.

3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.14797 of 2025

L.VICTORIA GOWRI, J.

IV

Crl.O.P.No.14797 of 2025

09.05.2025