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Crl.O.P.No.14883 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2025

CORAM

**THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR**

Crl.O.P.No.14883 of 2025

1.Subramani

2.Suriya

... Petitioners

Vs.

State Rep. by  
The Inspector of Police,  
PEW-Namakkal,  
Namakkal District.  
(Crime No.136 of 2025)

... Respondent

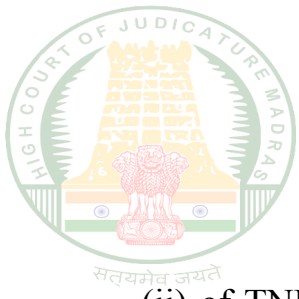
**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in Crime No.136 of 2025, pending investigation on the file of the respondent Police.

For Petitioners : Mr.W.Camyles Gandhi

For Respondent : Mr.Leonard Joseph Selvam  
Government Advocate  
(Criminal Side)

### **ORDER**

The petitioners, who were arrested and remanded to judicial custody on 27.04.2025 for the offences punishable under Sections 4 (1) (A), 4 (1) (C), 4 (1-A)



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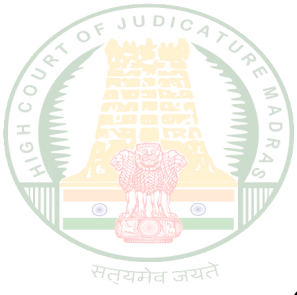
(ii) of TNP (Amendment) Act, 2024 in Crime No.136 of 2025 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 150 litres of ferment wash (White Liquor). Hence the case.

3.The learned counsel for the petitioners would submit that the petitioners are falsely implicated in this case; and that the petitioners are in custody from 27.04.2025 and hence, further custody of the petitioners are not required. He also submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and further submitted that the petitioners were found in illegal possession of 150 litres of ferment wash (White Liquor). Hence, he opposed for granting bail to the petitioner.

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



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6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and the period of incarceration suffered by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on conditions that:

- i) The petitioners shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Senthamangalam.
- ii) The petitioners shall appear and sign before the respondent police daily at 10.30 a.m., until further orders;
- iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;
- iv) The petitioners shall make himself available for interrogation by a Police Officer as and when required;



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v) The petitioners shall not directly or indirectly cause any threat to the defacto complainant and witnesses;

vi) 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, he shall comply to the directions as may be given by the Court in this regard;

vii) On breach of any of the aforementioned conditions, the learned Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

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

**14.05.2025**

ep/rkp

**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.



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To

1. The Judicial Magistrate,  
Senthamangalam.
2. The Inspector of Police,  
PEW-Namakkal,  
Namakkal District.
3. The Superintendent,  
Sub Jail, Namakkal
4. The Public Prosecutor, High Court of Madras.



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**M.NIRMAL KUMAR, J.**

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