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Crl.O.P.No.14943 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.14943 of 2025

Krishnan

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Harur Police Station,
Dharmapuri District.
(Crime No.194 of 2025)

... Respondent

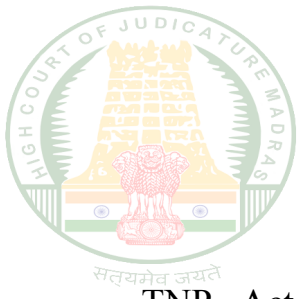
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail, pending investigation in Crime No.194 of 2025, on the file of the respondent Police.

For Petitioner : Mr.J.Pradeep

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.04.2025 for the offences punishable under Sections 4 (1) (C) r/w 4 (1-A) (ii) of



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TNP Act, in Crime No.194 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 27 Government Liquor Bottles. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioner is falsely implicated in this case; and that the petitioner is in custody from 23.04.2025 and hence, further custody of the petitioner is not required. He also submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and further submitted that the petitioner was found in illegal possession of 27 Government Liquor Bottles. Hence, he opposed for granting bail to the petitioner.

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



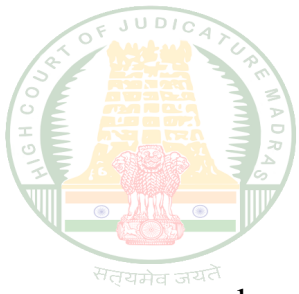
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6. Considering the facts and circumstances of the case, the submission made by the learned counsel appearing on either side and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain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

7. Accordingly, the petitioner is ordered to be released on bail on conditions that:

- i) The petitioner shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Harur.
- ii) The petitioner 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 petitioner shall make himself available for interrogation by a Police Officer as and when required;
- v) The petitioner shall not directly or indirectly cause any threat to the defacto complainant and witnesses;
- vi) The petitioner to give an undertaking that if required for being identified



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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,
Harur.
2. The Inspector of Police,
Harur Police Station,
Dharmapuri District.
3. The Superintendent,
Sub Jail, Harur.
4. The Public Prosecutor, High Court of Madras.



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M.NIRMAL KUMAR, J.

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