



CRL OP NO. 15478 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

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CRL OP NO. 15478 of 2025

Ayyasamy

S/o. Nadesan, 170, Pillayar Kovil Street, Vaniyandhal Village,
Agarakottalam Post, Sankarapuram Taluk and Kallakurichi
District Tamilnadu -606 203.

Petitioner(s)

Vs

The State rep. by,

The Inspector of Police,
Kallakurichi Police Station, Kallakurichi District

Cr.No. 420 of 2024.

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.420 of 2024 on the file of the respondent police.

For Petitioner(s):

Mr.Pooraniputhiran A

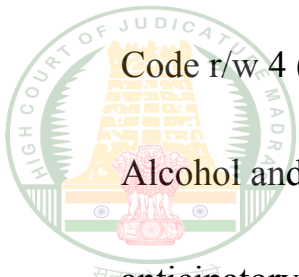
For Respondent(s):

Mr.R.Vinothraja

Government Advocate (Criminal side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 174 of CRPC altered as 304 (2) of Indian Penal



Code r/w 4 (1) (i), 4 (1-A) of TNP Act and 7 of Tamil Nadu Denatured Spirit, M



Alcohol and Varnish (French Polish) Rules, 1959, in Crime No.420 of 2024, seeks anticipatory bail.

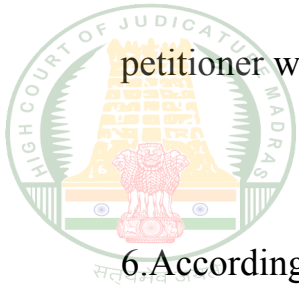
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2.The case of the prosecution is that the defacto-complainant's father had died due to consumption of alcohol in Kallakurichi. Hence the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the custodial interrogation of the petitioner is not required and sought for anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal side) appearing for the respondent Police submitted that now the investigation is about to transfer to the file of CBI in Cr.No.420 of 2024. However, the other accused persons in this case were granted bail. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the above fact and circumstances of the case and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the



petitioner with certain conditions.



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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 No.1, Kallakurichi**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two blood related 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:

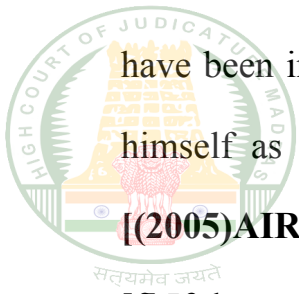
[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m. till the transfer of investigation to CBI; and even after transfer of investigation to the CBI, the petitioner shall appear before the CBI daily at 10.30 a.m. for a period of fifteen days; thereafter as and when required for interrogation;

[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 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 229A IPC.

23-06-2025

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G.K.ILANTHIRAIYAN, J.

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To
1. The State rep. by, The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi District
Cr.No. 420 of 2024.



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