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Crl.O.P.No.16232 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.05.2025

CORAM

THE HON'BLE Mrs. JUSTICE K.GOVINDARAJAN THILAKAVADI

CRL OP No. 16232 of 2025

Palani @ Palanisamy

... Petitioner

Vs

State rep.by

The Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.

Crime No.102 of 2025

... Respondent

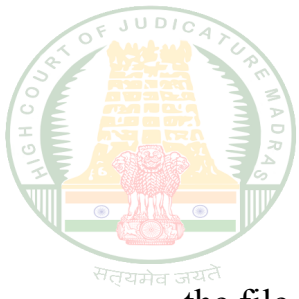
PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.102 of 2025 on the file
of the respondent Police.

For Petitioner(s): Mr. A Gowtham

For Respondent(s): Mr.L.Baskaran, Govt.Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 13.05.2025 for the alleged offence punishable under Sections 4(1)(C) and
4(1-A)(ii) of the Tamil Nadu Prohibition Act, in Crime No.102 of 2025, on



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the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner/accused was found in possession of 20 litres of illicit arrack suspected to be of spurious in nature and 500 litres fermented mixture. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was arrested and he is in judicial custody from 13.05.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, reiterated the prosecution case and submitted that there are three previous cases.

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



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6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees fifteen thousand only)** with two sureties, each for a like sum to the satisfaction of the learned **Judicial Magistrate, Sankarapuram** and on further conditions 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 petitioner shall appear before the respondent police daily at 10.30 a.m for a period of two months and thereafter, as and when required for further interrogation;

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

[d] the petitioner 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



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conditions have been imposed and the petitioner 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 51340]***;

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

28.05.2025

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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 official website of this Court will be watermarked and will also have a QR code.**

To:

1. The Judicial Magistrate,
Sankarapuram.
2. The Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.
3. The Sub Jail, Kallakurichi.
4. The Public Prosecutor,
High Court of Madras.



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K.GOVINDARAJAN THILAKAVADI, J.

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