



CRL OP NO. 16899 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-06-2025

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THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP NO. 16899 of 2025

Puli@Prakash

S/o. Palaniyandi, No.1/33, Bajanai Mada Street, Kavakkarppatti,
Namakkal District-637 013.

Petitioner(s)

Vs

State Rep. By

The Inspector of Police
Namakkal PEW, Namakkal District.

Namakkal

(Crime No.165 of 2025)Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/Accused on bail in Crime No.165 of 2025 pending on the file of the Respondent police.

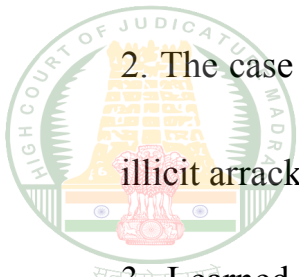
For Petitioner(s): Mr.T. Dhasarathan

For Respondent(s): Mr.L.Baskaran

Government Advocate

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.05.2025, for the offence punishable under Sections 4(1)(A), 4(1)(C), 4(1-A) (ii) of TN Prohibition (Amendment) Act, 2024, in connection with Crime No.165 of 2025, registered on the file of the respondent, seeks bail.



2. The case of the prosecution is that the petitioner is alleged to have in illegal illicit arrack of 6 litres along with 50 litres of white liquor. Hence the case.

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3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person. He also submitted that the petitioner is in no way connected with the alleged offence. He further 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 anticipatory 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 totally two accused and A2 is still in prison and the petitioner is in illegal possession of illicit arrack of 6 litres along with 50 litres of white liquor.

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

6. Considering the facts and circumstances of the case, submissions made by the learned counsel on either side and also considering the period of incarceration of the petitioner and the petitioner himself is ready to abide by any condition, 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 his executing a 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 learned **Judicial Magistrate, Sendamangalam, Namal**



ict,

and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

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

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;

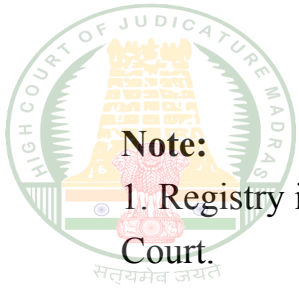
[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283];

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

13-06-2025

M. NIRMAL KUMAR.,J.



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 Judicial Magistrate, Sendamangalam, Namakkal District

2. The Inspector of Police
Namakkal PEW, Namakkal District.
Namakkal

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3. The Superintendent,
Central Prison, Salem.

4. The Public Prosecutor,
High Court, Madras.

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