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CRL OP NO. 16962 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP NO. 16962 of 2025

1.Ganesan
2.Ramesh

.... Petitioners

Vs

State Rep. By
The Inspector of Police,
Sulur Police Station,
Coimbatore District.
(Crime No.519 of 2025)

.... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime No.519 of 2025 on the file of respondent police, pending investigation.

For Petitioner(s) : Mr.N.Ponraj

For Respondent(s): Mr.L.Baskaran
Government Advocate

ORDER

The petitioner, who was arrested and remanded to judicial custody on 31.05.2025, for the offence punishable under Sections 4(1)(C), 4(1)(A) and 5(A) Tamil Nadu Prohibition (Amendment) Act, 2024 r/w Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015 in connection with Crime No.519 of 2025, registered on the file of the respondent, seeks bail.



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2. The case of the prosecution is that the petitioners are alleged to have been in illegal possession of liquor bottles. Hence the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons. He also submitted that the petitioners is in no way connected with the alleged offence. He further submitted that the petitioners 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 petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that the petitioners are in illegal possession of 180 ml of express brandy bottles and 180 ml of diamond brandy bottles and 180 ml of honey bee and the respondent police also seized Rs.350/- from them. There are one previous cases pending against them.

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 petitioners and the petitioners themselves are ready to abide by any condition, this Court is inclined to grant bail to the petitioners with certain conditions.



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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, Sulur**, 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 petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

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

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

[e] 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;

[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.

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M. NIRMAL KUMAR.,J.

gv

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.

13-06-2025

To

- 1.The Judicial Magistrate, Sulur.
- 2.The Inspector of Police,
Sulur Police Station,
Coimbatore District.
(Crime No.519 of 2025)
- 3.The Superintendent,
Central Jail, Coimbatore.
- 4.The Public Prosecutor,
High Court, Madras.

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