



WEB COPY

CRL OP No. 18248 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 18248 of 2025

MARIKANNU

Petitioner(s)

Vs

State rep by its Sub-Inspector of Police
Chengam Police Station,
Tiruvannamalai District.
Cr.No.194/2025

Respondent(s)

PRAYER

This Criminal Original Petition is filed under Section 483 of BNSS to enlarge the petitioner on bail in Cr.No.194 of 2025 pending investigation on the file of the respondent police.

For Petitioner(s): Mr.E.Sathiyaraj

For Respondent(s): Mr.A.Gokulakrishnan,
Additional Public Prosecutor

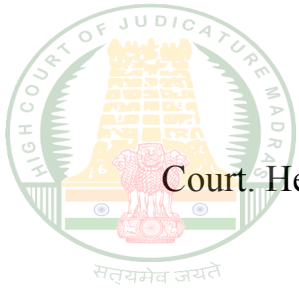
**ORDER**

WEB COPY

The petitioner, who was arrested and remanded to judicial custody on 25.05.2025, for the offence punishable under Sections 4(1)(i), 4(1)(aaa), 4(1)(g), 4(1-A)(ii) of Tamil Nadu Prohibition Act and Section 4(1)(A), 4(1)(C), 4(1-A)(ii) of Tamil Nadu Prohibition (Amendment) Act 2024 and Section 123 of BNS Act (Corresponding Section 328 of IPC) in connection with Crime No.194 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 24.05.2025, the respondent police conducted search and found the first accused with possession of 100 liters of distilled ID Arack. Based on A1 confession, the petitioner and other accused were implicated in this case. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. The learned counsel further submitted that the petitioner is suffering incarceration from 25.05.2025 and he 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.

WEB COPY

4. Learned Additional Public Prosecutor appearing for the respondent police reiterated the prosecution case and on instructions submitted that the case is under investigation, at this stage, if the petitioner is released on bail, there are every possibilities for tampering the witnesses and hampering the investigation, thereby, he strongly opposed to grant bail to the petitioner.

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

6. Considering the facts and circumstances of the case, nature of allegations, submissions made by the learned counsels on either side, and the period of incarceration undergone 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 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, Chengam, Tiruvannamalai and on further conditions that:

WEB COPY

[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, on everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for 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

WEB COPY

be registered under Section 269 of B.N.S.

25-06-2025

jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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.



CRL OP No. 18248 of 2025



To
WEB COPY

1. The Sub-Inspector of Police
Chengam Police Station,
Tiruvannamalai.

2. The Judicial Magistrate,
Chengam, Tiruvannamalai.
3. The Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL OP No. 18248 of 2025



M.NIRMAL KUMAR J.

jai

**CRL OP No. 18248 of
2025**

25-06-2025