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Crl.O.P.No.19814 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19814 of 2025

M.Latha

... Petitioner

Vs.

The State represented by
The Inspector of Police,
PEW Periyapalayam Police Station,
Thiruvallur District.

Crime No.81 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime
No.81 of 2025 on the file of the respondent.

For Petitioner : Mr.E.Vijayakumar
For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
28.06.2025, for the offence punishable under Section 4 (1) (A) of TNP
Amendment Act, in Crime No.81 of 2025, registered on the file of the
respondent, seeks bail.



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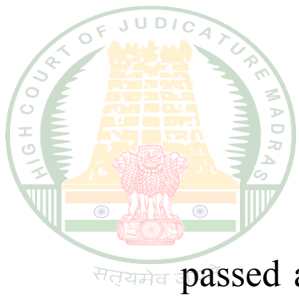
2.The case of the prosecution is that the petitioner was found in illegal possession of 29 bottles of Brandy each containing 180 ml. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. The petitioner is in judicial custody from 28.06.2025 and hence, further custody of the petitioner is not required. He further submitted that the petitioner's mother had passed away two days back and still kept in the mortuary. Petitioner has to participate in the final respects and perform last rites to her mother. Hence, he prayed for grant of bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and opposed for grant of bail to the petitioner.

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

6.Considering the facts and circumstances of the case, the submissions made by the learned counsel for the petitioner that petitioner's mother had



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passed away and she has to attend and perform final respects to her mother 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 **forthwith** ordered to be released on bail on her executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** before the **Superintendent, Special Prison for Women, Puzhal, Chennai**. On coming out on bail, after attending mother's funeral, the petitioner shall appear before the learned **District Munsif cum Judicial Magistrate, Uthukottai, on or before 21.07.2025** and produce the copy of the bond executed today and also to execute **two sureties each for a sum of Rs.10,000/-**, 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 as and when required for interrogation;**

[c] the petitioner shall make himself available for



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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.

10.07.2025

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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



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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 District Munsif Cum Judicial Magistrate,
Uthukottai.
- 2.The Inspector of Police,
PEW Periyapalayam Police Station,
Thiruvallur District.
- 3.The Superintendent,
Special Prison for Women, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

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