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Crl.O.P.No.20660 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.20660 of 2025

1.Chandira

2.Thangavel

... Petitioners

Vs.

The Inspector of Police,
PEW, Kallakurichi Police Station,
Kallakurichi District.
(Cr.No.36 of 2025)

... Respondent

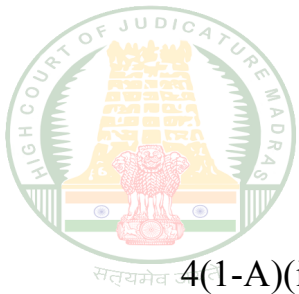
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to order the petitioners to be enlarged on bail in Crime No.36 of 2025 on the file of the Inspector of Police, PEW, Kallakurichi Police Station, Kallakurichi District.

For Petitioners : Mr.R.Prabudoss

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 12.07.2025, for the offence punishable under Sections 4(1)(C),



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4(1-A)(ii) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime
No.36 of 2025, registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioners were found in possession of 10 litres of illicit arrack and 100 litres of fermented mixture. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the prosecution case and opposed the grant of bail to the petitioners. He further submitted that there are no previous cases registered against these petitioners.

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



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6. Considering the facts and circumstances of the case, submissions made by the learned counsels on either side, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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, Sankarapuram, Kallakurichi District** 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 fifteen days and thereafter as and when required for interrogation;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in



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accordance with law as if the aforementioned conditions have been imposed and the petitioners 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]**;

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

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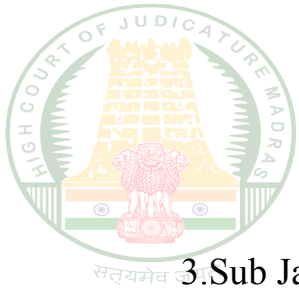
Note :

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

To

1.The Judicial Magistrate,
Sankarapuram, Kallakurichi District

2.The Inspector of police,
PEW, Kallakurichi Police Station,
Kallakurichi District.



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3.Sub Jail, Kallakurichi & District.

4.Sub Jail, Women Wing, Villupuram & District.

5.The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN, J.

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