



Crl.O.P.No.21160 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.21160 of 2025

Elumalai

... Petitioner

Vs.

The State rep by,
The Inspector of Police,
Kachirapalaiyam Police Station
Kallakurichi District.
(Crime No.251 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest in connection with Crime No.251 of 2024 pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Parameswaran
For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



Crl.O.P.No.21160 of 2025

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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a), 4(1-A) of T.N.P.Act, in **Crime No.251 of 2024**, on the file of the respondent Police, seeks anticipatory bail.

2. The petitioner herein is the named accused in FIR No.251 of 2024 dated 22.06.2024 for the alleged offence under Sections 4(1)(a), 4(1-A) of T.N.P.Act. According to the prosecution, 25 liters of ID-Arrack seized from the persons, who were driving a two-wheeler near Kariyalur and those two persons had proceeded before him. The riding party went to this spot on receipt of the complaint from one Elumalai. The petitioner seeks anticipatory bail on the ground that the petition is not involved in this case, only on suspicion, the abundant illicit arrack is owned by the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police while opposing for granting anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the accused has got three previous cases against him.



CrI.O.P.No.21160 of 2025

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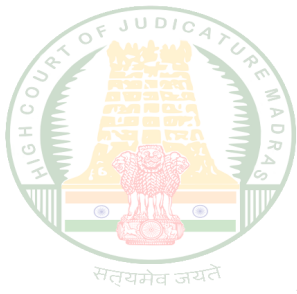
4. Heard the learned counsels and perused the materials available on record.

5. Considering the nature of the FIR registered and pending for more than years, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions;

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, **on or before 08.09.2025** before the learned **Judicial Magistrate No.I, Kallakurichi**, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **if the petitioner fails to surrender before the concerned Magistrate on or before 08.09.2025, this Order shall stand automatically cancelled;**

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial



Crl.O.P.No.21160 of 2025

WEB COPY

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;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

[d] 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]**;

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

22.08.2025

dna



CrI.O.P.No.21160 of 2025

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To

1.The Judicial Magistrate No.I, Kallakurichi.

2.The Inspector of Police,
Kachirapalaiyam Police Station
Kallakurichi District.
(Crime No.251 of 2024)

3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.21160 of 2025

Dr.G.JAYACHANDRAN, J.
dna

Crl.O.P.No.21160 of 2025

22.08.2025