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CRL OP No. 21169 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21169 of 2025

Pandiyan

Petitioner(s)

Vs

State. By the, The Inspector of Police,
Kariyalur Police Station, Kallakurichi
District. Crime No.142 of 2025.

Respondent(s)

PRAYER Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime.No.142 of 2025 on the file of the Inspector of Police, Kariyalur P.S. Kallakurichi District pending investigation and thus render justice.

For petitioner: Mr.S.Parameswaran

For Respondent(s): Mr.S.Udayakumar
Government Advocate (Crl.side)



ORDER

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The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(C), 4(1-A)(ii) of T.N.P. (Amendment) Act 2024, in Crime No.142 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found to be in illegal possession of 10 liters of ID Arrack, 50 liters of fermented wash. Hence the case.

3. The learned counsel appearing for petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the contraband were seized and there is no previous cases as against the petitioner.

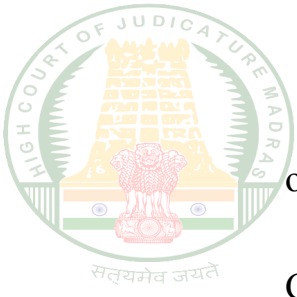


5. Taking note of the facts and circumstances of the case, the nature of

allegations, the fact that the contraband has been seized; there is no previous cases as against the petitioner and since, custodial interrogation is not required for the purpose of investigation, 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, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Sankarapuram*, 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) the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) to the credit of Advocate Clerk Association, Kallakurichi District**, within a period of two weeks from the date of receipt of a copy of this



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order and shall produce the receipt for the same before the Court below.

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police on alternative days at 10.30 a.m. for the period of three months.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the



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learned Magistrate/Trial Court himself as laid down by the

Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005)*

AIR SCW 5560]; and;

(g) if the accused thereafter absconds, a fresh FIR can be

registered under Section 269 of B.N.S.

10-09-2025

gbi

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.



To
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1.State. By the, The Inspector of Police,
Kariyalur Police Station, Kallakurichi
District. Crime No.142 of 2025.

2.The Judicial Magistrate,
Sankarapuram.

3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI J.
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