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CRL OP No. 21777 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 21777 of 2025

S.Appu
S/o.Sekar,
No.63/63, Kosamada Street,
Tiruvannamalai-606 601.

Petitioner(s)

Vs

The State by,
Inspector of Police,
PEW Tiruvannamalai Police Station,
Tiruvannamalai District.
Crime No.68 of 2025.

Respondent(s)

CRL OP No. 21777 of 2025

PRAYER

To enlarge the Petitioner on bail in the event of his arrest by the respondent police in Crime No. 68 of 2025 pending investigation on the file of Inspector of Police, PEW Tiruvannamalai Police Station, Tiruvannamalai District.



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For Petitioner(s): Mr. Saravanan A

For Respondent(s): Mr.S.Udayakumar,
Govt. Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a) and 4(1)(i) of Tamil Nadu Prohibition Act and 4(1)(C) and 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.68 of 2025 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on receipt of secret information, when the respondent police along with his team went to the scene of occurrence, and on search, they found 180 ml express brandy, 24 bottles and 180 ml Mclene brandy, 3 bottles, totally 27 l of liquors in the two wheeler, however, on seeing them, the petitioner escaped from there and seized the same. Based on the alleged occurrence, the present complaint was lodged against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is sole accused and he has been falsely implicated in this case. He would submit that he has not at all committed any offence as alleged by the respondent police



and he is no way connected with the occurrence. He would submit that the respondent police foisted the case only for statistical purpose and his name was not found place in the F.I.R. On instruction, he would further submit that without prejudice to his right and contentions, he is prepared to deposit/pay some considerable amount. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that on the date of occurrence, when the respondent police went for inspection and on search, they found totally 27 ml of liquor in a two wheeler, however, on seeing them, the petitioner escaped from there and two previous cases pending against him. He would also submit that if he is released on anticipatory bail, he will tamper the evidence and hamper the investigation. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also the fact that the investigation was completed, this Court is inclined to grant anticipatory bail to the petitioners 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 days from the



date on which the order copy made ready, before the learned Judicial Magistrate-I, Tiruvannamalai, **on condition that the petitioner shall deposit a sum of Rs.15,000/- (Rupees fifteen thousand only) as non-refundable deposit to the credit of Society for the Educational and Economic Development (SEED) Reg., Sriperumbudur, Account Name : SEED, A/C/No.2926101000002, Canara Bank, Sriperumbudur, IFSC CNRB0002926 Cell No.9944812053** and the petitioner shall also execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, in which, **one surety shall be blood relative of the petitioner**, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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.

[b] **the petitioner shall report before the respondent police on alternative days at 10.30 a.m. for the period of three months.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



[d] the petitioner shall not abscond either during investigation or trial.

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[e] 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 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

11-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Judicial Magistrate No.1, Tiruvannamalai.

2. The Inspector of Police, PEW Tiruvannamalai Police Station, Tiruvannamalai Dt.

3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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