



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 22066 of 2025

1. Tamilselvan

No.158, Soniya Gandhi Nagar, Varichakudi Post,
Karaikal, Pondycherry. and 4 Others

2. Dhayanithimaran

S/O.Thirumaran,
No.4/688, Kamarajar Nagar, Thirumullaivasal Post,
Sirkazhi Taluk, Mayiladuthurai District.

3. Punniyamoorathi

s/o.Kaliyaperumal,
No.22, Pidari koil Street, Niravi Post, Karaikal,
Pondycherry.

4.Ragu @ Raguraman

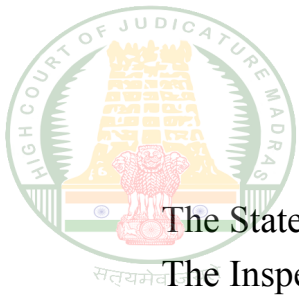
s/o.Kalaiselvan,
No.48, Colony Street, Thiruvettakudi Post, Karaikal,
Pondycherry

5. Marimuthu

s/o.Pazhanisamy,
No.158, Soniya Gandhi Nagar, Varichakudi Post,
Karaikal, Pondycherry

Petitioner(s)

Vs



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The State Rep. by
The Inspector of Police,
Sirkazhi Police Station,
Mayiladuthurai district.
(Crime No.494 of 2025)

Respondent(s)

CRL OP No. 22066 of 2025

PRAYER

To enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in crime No.494 of 2025 on the file of the respondent police

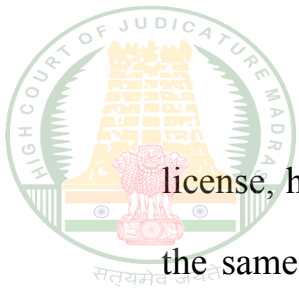
For Petitioner(s): Mr. Vinoth M

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.494 of 2025 on the file of respondent police, seek anticipatory bail.

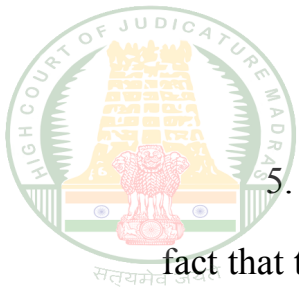
2. The case of the prosecution is that on receipt of secret information, when the respondent police along with his team went to the Thirumullaivasal village and they intercepted the petitioners' vehicle. On search, they found they were in possession of 1500 bottles of Pandey brandy illegally without any valid



license, however, on seeing them, the petitioners escaped from there and seized the same. Based on the alleged occurrence, the present complaint was lodged against the petitioners.

3. The learned counsel for the petitioners would submit that the petitioners are arrayed as A7 to A11 and based on the confession, they have been falsely implicated in this case. He would submit that they have not at all committed any offence as alleged by the respondent police and they are no way connected with the occurrence. He would submit that the respondent police foisted the case only for statistical purpose. On instruction, he would further submit that without prejudice to their right and contentions, they are 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 have intercepted the petitioners' vehicle and on search, they found 1500 bottles of Pondy brandy without any valid license, however, on seeing them, the petitioners escaped from there and except 1st petitioner/A7, all are having previous cases. He would also submit that if they are released on anticipatory bail, they will tamper the evidence and hamper the investigation and co-accused arrested and released on bail. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.



5. Considering the above fact and circumstances of the case and also the fact that the investigation was completed and co-accused were arrested and they were released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sirkazhi, **on condition that the petitioners shall deposit a sum of Rs.20,000/- each (Totally, a sum of Rs.1,00,000/- (Rupees one lakh only) as non-refundable deposit to the credit of registered Advocates Clerks Association, Pondicherry and** the petitioners shall also execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each, in which, **one surety shall be blood relative of the petitioners**, 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 petitioners 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.



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

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

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the 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)AIR SCW 5560]**.

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

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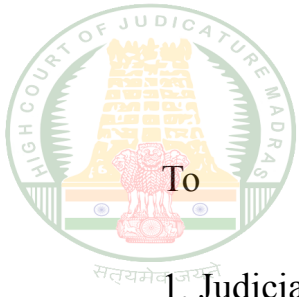
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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1. Judicial Magistrate Court, Sirkazhi.
2. The Inspector of Police, Sirkazhi Police Station, Mayiladuthurai Dt.
3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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