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Crl.O.P.No.22568 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22568 of 2025

1.Gunasekaran

2.Arunkumar

... Petitioners

Vs.

The State rep.by
Station House Officer,
Neyveli Thermal Police Station,
Cuddalore District.
Crime No.106 of 2025

... Respondent

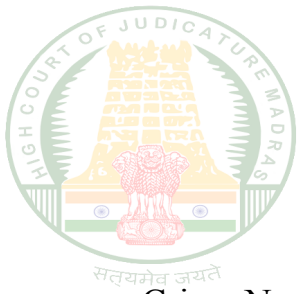
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in Crime
No.106 of 2025 on the file of the respondent Police.

For Petitioners : Ms.M.Divyalakshmi

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

ORDER

There are two petitioners who were arrested on 20.07.2025 based on the
complaint given by one Divash/defacto complainant, seeking bail in



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Crime No.106 of 2025 on the file of the respondent Police for the alleged offence under Sections 4(1)(c), 4(1-A)(ii) and 14A of the Tamil Nadu Prohibition Act.

2. The case of the prosecution is that on 20.07.2025, the petitioners were found in illegal possession of 10 bottles of liquor (180 ml each). Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that insofar as the second petitioner is concerned, he was granted bail by the lower Court in Crl.M.P.No.5078 of 2025 and therefore, she is not pressing this petition in respect of the second petitioner.

4. The learned counsel for the petitioners further submits that the co-accused person was enlarged on bail and the first petitioner is ready to abide by any conditions imposed by this Court. Hence, he prays for grant of bail to the first petitioner.

5. The learned Government Advocate (Criminal side) states that the first petitioner is having 10 previous cases. Hence, he opposed for grant of bail.



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6. Considering the fact that the co-accused person has been granted bail and the period of incarceration undergone by the first petitioner, this Court is inclined to grant bail to the first petitioner.

7. Accordingly, the first petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate, Neyveli 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 first petitioner shall appear before the respondent Police daily at 10.30 a.m., until further orders;

[c] 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



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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]**;

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

18.08.2025

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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.



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Dr.G.JAYACHANDRAN, J.

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To

1. The Judicial Magistrate, Neyveli.
2. The Station House Officer,
Neyveli Thermal Police Station,
Cuddalore District.
3. The Superintendent,
Central Prison, Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

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