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Crl.OP.No.23292 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23292 of 2025

Naseema Shirajbasha @ Nasima

... Petitioner

Vs.

State Represented by,
The Inspector of Police,
Prohibition Enforcement Wing Police,
Harur, Dharmapuri District.
(Cr.No.339 of 2025)

... 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 by the respondent police concerned in Cr.No.339 of 2025 on the file of the Inspector of Police, Prohibition Enforcement Wing Police, Harur, Dharmapuri District.

For Petitioner : Mr.R.K.Gandhi

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

ORDER



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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 4(1)(B) of The Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.339 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is running a small fried chili chicken and fish fry shop at four road at Venkatasamudram Village, which is located 200 metres away from the TASMACH Shop. On secret information, the respondent police went to the petitioner's shop for verification, they found that there are five bottles of brandy in the shop and also the petitioner had admitted the persons to drink in a pitch up. Hence, the case.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and she has not committed any such offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for



the respondent police reiterated the prosecution case and submitted that there is no previous case against the petitioner. However, he opposed to grant bail to the petitioner.

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5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the nature of the complaint and since custodial interrogation of the petitioner is not required, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of ten days (10) from the date of receipt of a copy of this order, before the ***learned Judicial Magistrate, Pappireddipatti*** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that



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[a] if the petitioner fails to surrender before the concerned Magistrate within a period of ten days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent police as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

25.08.2025



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To
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- 1.The Judicial Magistrate, Pappireddipatti
2. The Inspector of Police,
Prohibition Enforcement Wing Police,
Harur, Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

Vv



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