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Crl.OP.No.23123 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23123 of 2025

Arjunan

... Petitioner

Vs.

The State rep by its
Sub Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
(Cr.No.266 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Crime No.266
of 2025 pending investigation on the file of the respondent police.

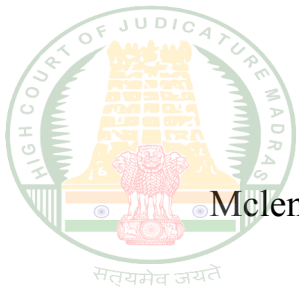
For Petitioner : Mr.Sathiyaraj.E

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner herein was arrested on 02.08.2025 in connection with
Crime No.266 of 2025 for the alleged offence under Sections 4(1)(C) r/w
4(1-A)(ii) of the Tamil Nadu Prohibition (Amendment) Act 2024.

2. The petitioner was found in illegal possession of 11 bottles of



McLene Brandy, each containing 180 ml.

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3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he 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 opposed for grant of bail on the ground that the petitioner is having three previous cases of similar nature.

5. However, considering the said fact, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate-I, Tiruvannamalai District**, and on further conditions



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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 petitioner shall report before the respondent police as and when required;

[c] if he indulge in similar offence, while enjoying the bail, the bail shall stands cancelled;

[d] 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 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]**;

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

03.09.2025

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Note :

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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

1. The Judicial Magistrate-I,
Tiruvannamalai District
2. The Sub Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
3. The Sub-Jail, Tiruvannamalai.
4. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.

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