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CRL OP No. 23962 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 23962 of 2025

1. Jaya
W/o.Kumaresan,
No.42, Middle Street, Nedungampoondi
Village, Kilpennathur Taluk,
Tiruvannamalai District.

2. Kumaresan
S/o.Seenu,
No.42, Middle Street, Nedungampoondi
Village, Kilpennathur Taluk,
Tiruvannamalai District.

Petitioner(s)

Vs

The State Rep. by its
Sub-Inspector of Police,
Kilpennathur Police Station,
Tiruvannamalai District.
Crime No.211 of 2025

Respondent(s)

**CRL OP No. 23962 of 2025**

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PRAYER

To enlarge the petitioners on bail in Crime No.211 of 2025 Pending investigation on the file of the respondent.

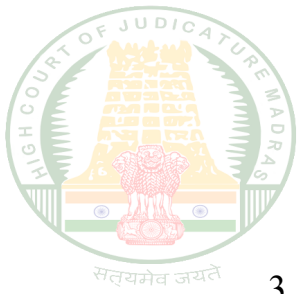
For Petitioner(s): Mr. E.Sathiyaraj

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 30.07.2025 for the alleged offence under Sections 4(1)(C) of Tamil Nadu Prohibition (Amendment) Act, 2024 and Sec. 4(1-A)(ii) of TNP Act in Crime No.211 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 30.07.2025 while the respondent police conducted checkup at Nadungampoondi village at the house of petitioners and said to have found that they were in possession of 8 bottles of New Director's Club, which was purchased from Pondicherry for the purpose of selling in higher price illegally without any valid license and the same was seized by them. Hence, the complaint was registered against the petitioners.



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3. The learned counsel appearing for petitioners submitted that they are an innocent persons, they are no way connected with the offence and they have not committed any of offence as alleged by the respondent police. He would also submit that they have been falsely implicated in this case and they would abide by any condition that may be imposed by this court. He would also submit that the petitioners have been suffering incarceration for more than 41 days from 30.07.2025. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that they are arrayed as A1 and A2 in this case and there are 14 previous cases pending against the 1st petitioner and 13 previous cases against 2nd petitioner. He would also submit that if they are released on bail, they would hamper the investigation and tamper the witnesses and the investigation is almost completed. However, he would vehemently opposed to grant bail to the petitioners.

5. Considering the facts and circumstances and the fact that the investigation is almost completed and considering the period of incarceration undergone by the petitioners from 30.07.2025, this Court is inclined to grant bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are directed to deposit a sum of **Rs.10,000/- each (totally a sum of Rs.20,000/-) as non-refundable deposit into the credit of Madras High Court Advocate Clerks Welfare Association, Chennai.A/c No. 484077244, Bank : Indian Bank, Branch : High Court, IFSC Code : IDIB000M157 and on such deposit**, the petitioners are ordered to be released on bail on executing separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the *District Munsif cum Judicial Magistrate, Kilpennathur, Tiruvannamalai District*, and on further conditions that::

(a) 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 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;



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(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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

10-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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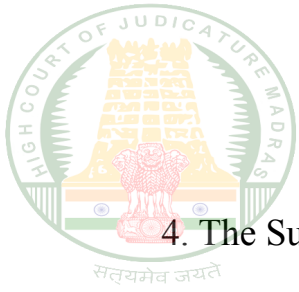
To

1.The District Munsif cum Judicial Magistrate, Kilpennathur, Tiruvannamalai Dt.

2.The Sub-Inspector of Police, Kilpennathur Police Station, Tiruvannamalai Dt.

3. The Superintendent of Prison, Special Prison for Women, Vellore. (1st petitioner)

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4. The Superintendent of Prison, Central Prison, Vellore.

5. The Public Prosecutor, High Court, Madras

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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T.V.THAMILSELVI J.

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