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Crl.O.P.No.23404 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.23404 of 2025

1.Nadesan

2.Vellaiyan

... Petitioners

Vs.

The Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.
(Crime No.158 of 2025)

... Respondent

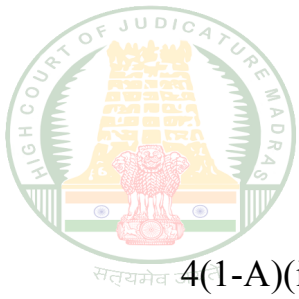
PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to order the petitioner to be enlarged on bail in Crime No.158 of 2025 pending investigation on the file of the Inspector of Police, Kariyalur Police Station, Kallakurichi District.

For Petitioners : Mr.R.Prabudoss

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 03.08.2025, for the offence punishable under Sections 4(1)(c) &



Crl.O.P.No.23404 of 2025

4(1-A)(ii) & Section 7 of T.N.P.Act, in Crime No.158 of 2025, registered on the file of the respondent, seek bail.

2. The case of the prosecution is that the petitioners were found in possession of 10 litres of illicit arrack and 2200 kgs jaggery intended for distilling. Hence, the present complaint.

3. The learned Government Advocate (crl.Side) appearing for the respondent police submitted that the chemical analysis report is awaited.

4. Heard both sides and perused the materials available on record.

5. Considering the fact that the petitioners are first time offenders, this Court is inclined to grant bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 learned **Judicial Magistrate, Sankarapuram, Kallakurichi District** and on further conditions that:



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CrI.O.P.No.23404 of 2025

[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 petitioners shall report 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 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]**;

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

22.08.2025

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Crl.O.P.No.23404 of 2025

Dr.G.JAYACHANDRAN, J.

rpl

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.

To

- 1.The Judicial Magistrate, Sankarapuram, Kallakurichi District
- 2.The Inspector of Police,
Kariyalur Police Station,
Kallakurichi District.
- 3.Sub Jail, Kallakurichi.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.23404 of 2025

22.08.2025