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Crl.O.P.No.23894 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

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

**Crl.O.P.No.23894 of 2025**

Jayakumar

... Petitioner

Vs.

State by:

The Sub Inspector of Police,  
PEW, Vaniyambadi,  
Thirupathur District.  
(Crime No.124 of 2025)

... Respondent

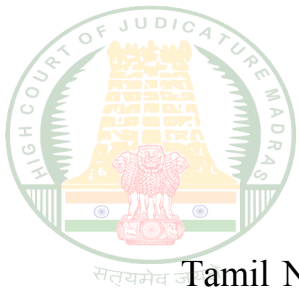
**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.124 of 2025 on the file of the Sub Inspector of Police, PEW, Vaniyambadi, Thirupathur District.

For Petitioner : Mr.S.Sasikumar

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

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 22.06.2025, for the offence punishable under Sections 4(1)(C), 4(1)(A) of



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Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.124 of 2025,  
registered on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 25 bottles (each containing 180 ml) of Old Chef XXX rum. Hence, the present complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is in prison for more than 65 days.

4. However, the learned Government Advocate (crl.Side) appearing for the respondent police opposed the grant of bail to the petitioner and submitted that the petitioner has two other cases of a similar nature pending against him.

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

6. Considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on **depositing a sum of Rs.20,000/- (Rupees Twenty Thousand only) in the account pertaining to Crime No.124 of 2025 within a period of fifteen days.** On such deposit, the surety may be considered and on further conditions that:

[a] 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 learned **Judicial Magistrate No.III, Thirupathur;**

[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 daily at 10.30 a.m., until further orders;**

[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



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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.

**01.09.2025**

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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.

To

- 1.The Judicial Magistrate No.III, Thirupathur.
- 2.The Sub Inspector of Police,  
PEW, Vaniyambadi,  
Thirupathur District.
- 3.The Superintendent, Central Prison,  
Vellore.
- 4.The Public Prosecutor,  
High Court of Madras.

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**Dr.G.JAYACHANDRAN, J.**

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