



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24471 of 2025

Balachander
S/o.Mariyappan,
No.126/35, Adhidiravidar Street,
Pallipatti, Salem District

Petitioner(s)

Vs

State rep by
The Inspector of Police
Veeranam Police station,
Salem District
Cr.No.457 of 2025

Respondent(s)

CRL OP No. 24471 of 2025

PRAYER

To grant the bail to the petitioner in Cr.No.457 of 2025 on the file of the respondent police

For Petitioner(s): Mr. K.Muruganandham

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.08.2025 for the alleged offence under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition (Amendment) Act in Crime No.457 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 12.08.2025 at about 09.00 a.m., when the respondent police was on regular checkup, they intercepted the petitioner and on search, the respondent police said to have found that he was in possession of certain liquor bottles viz., 07 bottles of black pearl brandy (180 ml), 02 bottles of MGM vodka, 01 bottle of MC and 05 bottles of SNJ 10000 beer (650 ml) and the same was purchased by him from the Tasmac and thereafter, he added some substances for increasing alcohol level and selling the same illegally without any valid license and the same was seized by them. Hence, the complaint was registered against the petitioner.

3. The learned counsel appearing for petitioner submitted that he is an innocent person, he is no way connected with the offence and he has not committed any of offence as alleged by the respondent police. He would also submit that he has been falsely implicated in this case and he will abide by any



condition that may be imposed by this court. He would also submit that the petitioner has been suffering incarceration for more than 27 days from 12.08.2025. On instruction, he would further submit that without prejudice to his right and contentions, he is prepared to deposit/pay some considerable amount. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that he is arrayed as sole accused and totally there are 5 previous cases pending against the petitioner. He would also submit that if he is released on bail, he would hamper the investigation and tamper the witnesses and the investigation is almost completed. However, he would vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances and the fact that the investigation is almost completed and considering the period of incarceration undergone by the petitioner from 12.08.2025, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.10,000/- (Rupees ten thousand only) as non-refundable deposit to the credit of registered Advocates Clerks Association, Salem** and on such deposit, the petitioner is ordered to be released on bail on executing separate bonds for a



sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, **in which one surety must be a blood surety** for a like sum to the satisfaction of the

Judicial Magistrate No.IV, Salem, and on further conditions that::

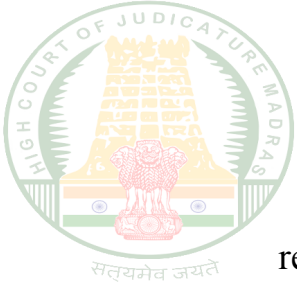
(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for the period of three months.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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 229-A IPC.

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08-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Judicial Magistrate No.IV, Salem.
2. The Inspector of Police, Veeranam Police Station, Salem.
3. The Superintendent of Prison, Central Prison, Salem.
4. 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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CRL OP No. 24471 of 2025



T.V.THAMILSELVI J.

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08-09-2025