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CRL OP No. 24718 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL OP No. 24718 of 2025

Manikandan
S/o.Ramasamy,
2/267, Milakaikarar Thottam,
Rajapalayam, Karukudalpatti,
Rasipuram Taluk, Pin Code-636 202.

Petitioner(s)

Vs

The State Rep by,
The Inspector of Police,
Ayilpatty Police Station, Namakkal
District. Cr.No.105/2025.

Respondent(s)

CRL OP No. 24718 of 2025

PRAYER

To enlarge the petitioner on bail in connection with Cr.No.105/2025 on the file of the respondent police.



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For Petitioner(s): Mr.A.S.Prabu

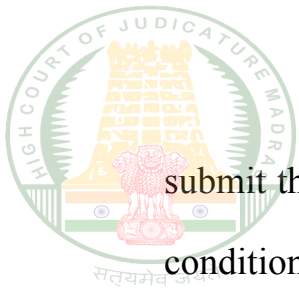
For Respondent(s): Mr.A.Gopinath,
Govt. Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.08.2025 for the alleged offence under Sections 4(1)(C), 4(1-A)(ii) of Tamil Nadu Prohibition (Amendment) Act in Crime No.105 of 2025 on the file of the respondent police, seeks bail.

2. The case of prosecution is that on 16.08.2025, when the respondent police was on regular checkup near Milagaikarar Thottam, they intercepted the petitioner, but on seeing them, he tried to escape from there and they caught hold of him. On search, the respondent police said to have found that he was in possession of 1 litre illicit arrack along with 100 litres of fermented wash (white liquor) meant to sell for public in order to make unlawful gains 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

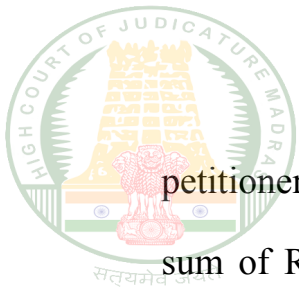


submit that he has been falsely implicated in this case and he will abide by any condition that may be imposed by this court. He would also submit that the petitioner has been suffering incarceration for more than 25 days from 16.08.2025. On instruction, he would further submit that without prejudice 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 no previous case 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 16.08.2025, 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, Rasipuram** 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, Rasipuram**, and on further conditions that::

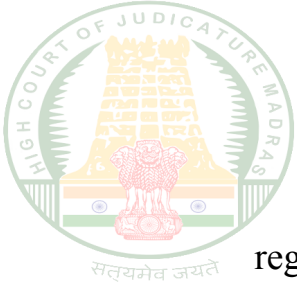
(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on alternative days 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 269 of BNS.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Judicial Magistrate, Rasipuram.
2. The Inspector of Police, Ayilpatty Police Station, Namakkal Dt.
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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T.V.THAMILSELVI J.

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