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Crl.O.P.No.25376 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-09-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.25376 of 2025

S. Murugan

... Petitioner/ A5

Vs

The State rep. by,
The Inspector of Police,
Sirkali Police Station,
Mayiladuthurai District.
(Crime No.494 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioner/accused in
Crime No.494 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr. M.D. Ilayaraja

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



ORDER

WEB COPY The petitioner, who was arrested and remanded to judicial custody on 30.07.2025, for the offences punishable under Sections 4(1)(A) of the TNP Act Amendment Act 2024 & Transport Act, 2024 in Crime No.494 of 2025, registered on the file respondent police, seeks bail. The earlier bail petition of the petitioner in Crl.O.P.No.23240 of 2025 was dismissed by this Court, vide order dated 01.09.2025.

2. The case of the prosecution is that based on a secret information, the respondent police went to the spot and found that the petitioner and other accused were involved in illegal transportation of 1500 bottles of Pondy Poisonous Arrack (each containing 180 ml) in their vehicles. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and falsely implicated in this case. He further submitted that the co-accused in this case were already arrested and released on bail by the lower Court and the petitioner is ready to abide by any conditions



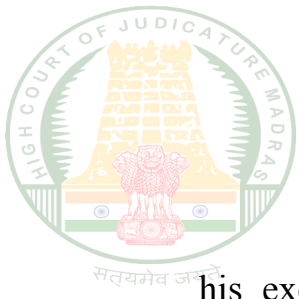
that may be imposed by this Court and sought for bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent while opposing the bail to the petitioner, reiterated the prosecution case and states that there are totally 16 accused and the petitioner is arrayed as A5 in this case. He further submitted that A1 to A3 were detained under Tamil Nadu Act 14 of 1982 and confirmed the fact that some of the co-accused (A4, A6, A11, A15 and A16) were arrested and released on bail by the lower Court; that the petitioner has two previous cases, out of which one case is of similar nature and the other is under Gaming Act; and that the investigation is pending.

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

6. Considering the facts and circumstances of the case, the period of incarceration undergone by the petitioner, his previous antecedents, the quantity of contraband and taking note of the fact that some of the co-accused were already granted bail by the lower Court, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Sirkali** and on further conditions that:

[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 petitioner shall report before the respondent police daily at 10.30a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[c] 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 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]**;



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

16.09.2025

stn

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,
Sirkali.
2. The Inspector of Police,
Sirkali Police Station,
Mayiladuthurai District.
(Crime No.494 of 2025)

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stn

3. The Superintendent,
District Prison, Mayiladuthurai.



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4. The Public Prosecutor,
High Court of Madras.



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