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Crl.OP.No.25669 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

Crl.O.P.No.25669 of 2025

Prakash @ Prakash Kumar

... Petitioner/A2

Vs.

State rep by
The Inspector of Police,
Gudiyatham Taluk Police Station,
Gudiyatham, Vellore District.
(Cr.No.220 of 2025)

... Respondent

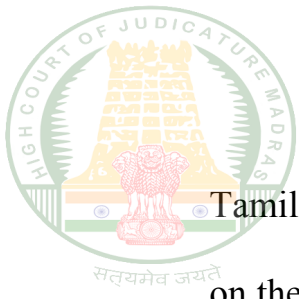
PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of his arrest in connection with Cr.No.220 of 2025 on the file respondent police.

For Petitioner : Mr.G.Vinodh Kumar

For Respondent : Mr.S.Udayakumar,
Government Advocate (Crl.Side)

ORDER

The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(C) and 4(1)(A) of the



Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.220 of 2025,
on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 29 bottles of old chef rum, each containing 180 ml. Hence, the case.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and based on the confession statement of A1, he has been arrayed as an accused. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution case and submitted that there are no previous cases pending against the petitioner.

5. Considering the facts and circumstances of the case and also



considering the fact that there are no previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Gudiyatham**, on condition that the petitioner shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that

[a] if the petitioner fail to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, this order shall stand automatically cancelled;

[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



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their identity;

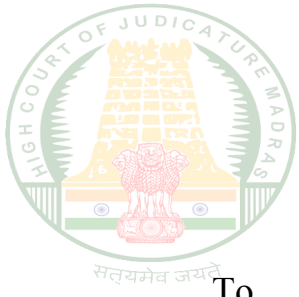
[c] the petitioner shall report before the respondent police everyday at 10.00 a.m., for a period of two weeks and thereafter as and when required for the interrogation;

[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 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.

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smv



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To
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- 1.The Judicial Magistrate,Gudiyatham.
- 2.The Inspector of Police,
Gudiyatham Taluk Police Station,
Gudiyatham, Vellore District.
3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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