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Cr1.O.P.No.27465 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2025

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Cr1.O.P.No.27465 of 2025

1.Kattammal @ Haleka Kattammal
2. Ponni

... Petitioners

Vs.

The State of Tamilnadu
The Inspector of Police,
PEW Gummidipoondi Police Station,
Tiruvallur District
(Crime No.102/2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on bail in the event of arrest in Crime No.102 of 2025 on the file of the respondent Police.

For Petitioners : Mr.E. Muruganandam

For Respondent : Mr.S.Santhosh

Government Advocate (Cr1. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 35(1)a of BNS,2023 in Crime No.102 of 2025, on the file of the respondent police, seek anticipatory bail.



Cr1.O.P.No.27465 of 2025

WEB COPY

2.The case of the prosecution is that the petitioner along with other accused were in possession of 180 ml of MCL liquor bottles without any valid licence. Hence, the case.

3.Learned counsel appearing for the petitioners submitted that the petitioners are innocent person and he has been falsely implicated in this case; that the petitioners have never committed any offence as alleged by the prosecution; and that the petitioners are ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also undertakes to appear and to co-operate for the investigation, and prayed for anticipatory bail to the petitioners.

4.Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing for grant of bail to the petitioners, reiterated the prosecution case and submitted that bail was granted for the co-accused and there is no previous case pending against the petitioners.

5.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record.

6.Taking note of the facts and circumstances of the case, nature of



Cr1.O.P.No.27465 of 2025

allegations, submissions made by the learned counsels on either side, the fact that bail was granted for the co-accused and there is no previous case pending against the petitioners and since, custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are 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 District Munsif cum Judicial Magistrate Court, Gummidipoondi** on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten thousand only) each with two sureties each** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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.



Crl.O.P.No.27465 of 2025

WEB COPY

[b] the petitioners shall report before the respondent police as and when required for interrogation.

[c]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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)AIR SCW 5560].

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

03.10.2025

smn

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 official website of this Court will be watermarked and will also have a QR code.***



Cr1.O.P.No.27465 of 2025

WEB COPY

To

1.The District Munsif cum Judicial Magistrate Court, Gummidipoondi

2.The Inspector of Police,
PEW Gummidipoondi Police Station,
Tiruvallur District

3.The Public Prosecutor,
High Court of Madras.



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Cr1.O.P.No.27465 of 2025

N.SENTHILKUMAR, J.
smn/kas

Cr1.O.P.No.27465 of 2025

03.10.2025