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Crl.O.P.No.27875 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.27875 of 2025

Murugesan

... Petitioner/ A2

Vs

The State of Tamil Nadu,
through the Inspector of Police,
Tiruppur Central Police Station,
Tiruppur City.
(Crime No.419 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on
anticipatory bail in the event of arrest by the respondent in Crime No.419 of
2025 on the file of the respondent police.

For Petitioner : Mr. Deepan Uday

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



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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(A) and 4(1)(B) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.419 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 21.09.2025, based on a secret information, the respondent police conducted a check near ABT Road, Karapputhur, Tiruppur and they found a accused person was involved in illegally selling of liquor bottles to the public; that on seeing the police, the accused ran away from the spot leaving 6 bottles of Vodka (750 ml each), 2 bottles of Gin Whisper (180 ml each), 3 bottles of Oak Vat (180 ml each), 6 bottles of Express Honey Bee (180 ml each); that upon investigation, it is revealed that the petitioner herein and other accused involved in the said offence. Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner was falsely implicated in this case, he has not involved in the above said offence and not present at the scene of occurrence. He further submitted that the petitioner is ready to abide by any conditions that may be



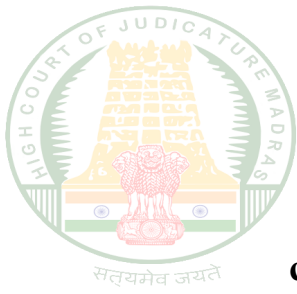
imposed by this Court, hence sought for anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the petitioner has two previous cases, all are disposed of and the petitioner is the owner of the bar; and that the investigation of this case is pending.

5. Considering the facts and circumstances of this case, the contraband was seized and since custodial interrogation of the petitioner is not necessary for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Court No.2, Tiruppur** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** **with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:



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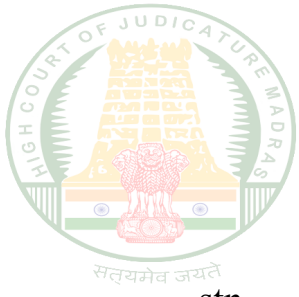
[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, this Order shall stand automatically cancelled;

[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 their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two weeks and thereafter, as and when required for 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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To

1. The Judicial Magistrate No.2,
Tiruppur.
2. The Inspector of Police,
Tiruppur Central Police Station,
Tiruppur City.
(Crime No.419 of 2025)
3. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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