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Crl.O.P.No.27839 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.27839 of 2025

M. Jothi

... Petitioner/ A2

Vs

The State Rep. By,
The Inspector of Police,
Anandapuram Police Station,
Villupuram District.
(Crime No.236 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.236 of 2025 on the file of the respondent police.

For Petitioner : Mr. Tamil Selvan

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)(i) TNP Act r/w 4(1)(A) of TN Prohibition (Amendment) Act, 2024 in Crime No.236 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.10.2025 based on a secret information, the respondent police went to the spot and found that the petitioner along with other accused were involved in possession of 42nos. Vorion bottles (each containing 180 ml), 48 nos. of Mclene bottles (each containing 180 ml) for the purpose of illegal sales on Gandhi Jayanthi. 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. 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.

4. The learned Government Advocate (Crl. Side) appearing for

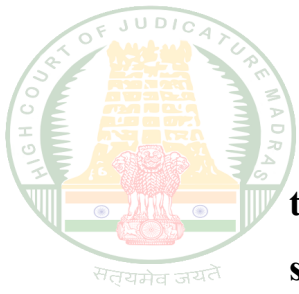


the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that there are totally two accused involved in this case and the petitioner is arrayed as A2; that the petitioner has no previous antecedents; and that the investigation of this case is pending.

5. Considering the facts and circumstances of this case, the petitioner has no previous antecedents 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-I, Gingee** 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:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from



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the date on which the order copy made ready, this Order shall stand automatically cancelled;

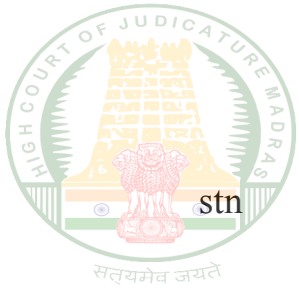
[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[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.

13.10.2025



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To

1. The Judicial Magistrate-I,
Gingee.
2. The Inspector of Police,
Anandapuram Police Station,
Villupuram District.
(Crime No.236 of 2025)
3. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.

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