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Crl.O.P.No.28184 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **15.10.2025**

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.28184 of 2025

Prabu

... Petitioner

Vs

The State rep. by,
The Station House Officer,
Kariyalur Police Station,
Kallakurichi District
(Crime No.180 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.180 of 2025 on the file of the respondent police.

For Petitioner(s) : Mr.Krishnasamy Chinnasamy

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 22.09.2025, for the offence under Sections 4(1)(c), 4(1-A),(ii) of TNP Amendment Act r/w 24(1) of COTPA Act, r/w 25(1)(a) of Arms Act in Crime No.180 of 2025, registered on the file of the respondent police, seeks bail.

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 was in possession of 10 litres of illicit arrack and a country made gun without valid licence. Hence a case was registered by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and due to previous enmity he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioner.

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



the respondent while opposing the bail to the petitioner, reiterated the prosecution case and submitted that there is one previous case pending against the petitioner.

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5.Considering the facts and circumstances of the case, the period of incarceration undergone by the Petitioner and the fact that the arrack and the country made gun was seized from the petitioner, this Court is inclined to grant bail to the petitioner herein with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on their executing 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 District Munsif cum Judicial Magistrate Kariyalur, Kallakurichi District 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 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation.**



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[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]**;

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

15.10.2025

smn

To

1. The Station House Officer,
Kariyalur Police Station,
Kallakurichi District
2. The District Munsif cum Judicial Magistrate
Kariyalur, Kallakurichi District
3. The Superintendent, District Prison, Vedampattu, Villupuram District.
4. The Public Prosecutor,
High Court of Madras.

K. RAJASEKAR, J.



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