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Crl.O.P.No.29428 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

**THE HONOURABLE MR JUSTICE K. RAJASEKAR**

**CRL OP NO.29428 of 2025**

1. Suresh
2. Arul

... Petitioners/ A1 & 2

Vs

The State rep. by,  
The Inspector of Police,  
Prohibition Enforcement Wing,  
Tiruchengode Police Station,  
Namakkal District.  
(Crime No.277 of 2025)

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 483 of Bharatiya  
Nagarik Suraksha Sanhita, 2023, to grant bail to the petitioners/accused in  
Crime No.277 of 2025 on the file of the respondent police.

**For Petitioner(s)** : Mr. C. Rajakumar

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

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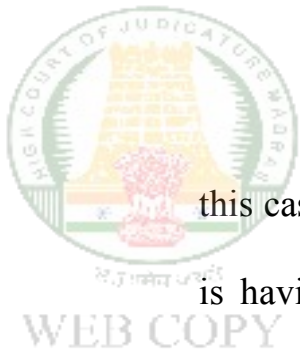
## **ORDER**

The petitioners, who were arrested and remanded to judicial custody on 23.09.2025 for the offences punishable under Sections 4(1)(c) read with 4(1-A)(ii) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.277 of 2025, registered on the file respondent police, seek bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 1.5 litres of illicit arrack for the purpose of illegal sales. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and the petitioners are in judicial custody since 23.09.2025; and that the petitioners are ready to abide by any conditions that may be imposed by this Court and sought for bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioners reiterated the prosecution case and stated that there are totally two accused involved in



this case and the petitioners are arrayed as A1 & A2; that the petitioner/ A1 is having one previous case of similar nature and petitioner/ A2 has no previous antecedents; and that the investigation of this case is pending.

5. Considering the facts and circumstances of the case, the quantity of contraband seized in this case and the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 **learned Judicial Magistrate, Namakkal** 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 petitioners shall report before the



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**respondent police daily at 10:30 a.m., for a period of three weeks and thereafter, as and when required for interrogation by the respondent police;**

[c] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

**29.10.2025**

stn

**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 the official website of this Court will be watermarked and



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will also have a QR code.

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- To
1. The Judicial Magistrate,  
Namakkal.
  2. The Inspector of Police,  
Prohibition Enforcement Wing,  
Tiruchengode Police Station,  
Namakkal District.  
(Crime No.277 of 2025)
  3. The Superintendent,  
Namakkal Sub Jail.
  4. The Public Prosecutor,  
High Court of Madras.



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**K. RAJASEKAR, J.**

stn

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