



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 31128 of 2025

1. S.Shanmugasundaram
S/o. Srinivasan, No.4/223,
Kizhpatchapettai, Harur Taluk,
Dharmapuri District - 636 903. and
another

2.S.Jayamani
S/o0. Samykannu, No.3/238,
Keeraipatti, Harur Taluk, Dharmapuri
District - 636 903.

Petitioner(s)

Vs

1. State represented by The Inspector of
Police,
PEW-Harur, Dharmapuri District.
(Crime No.382 of 2024).

Respondent(s)

PRAYER

To enlarge the petitioners on anticipatory bail in the event on their arrest by the Respondent Police in Crime No.382 of 2024 on the file of the Respondent police and pass such further or other orders as this Honble Court may deem fit



and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Pradeep

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aa) r/w.4(1-A) of Tamilnadu Prohibition Act, 1937 in Crime No. 382 of 2025, seek anticipatory bail.

2. The allegation against the petitioners is that the petitioners are working in the TASMAC and, taking advantage of their position, they illegally stored 384 liquor bottles and sold the same. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are employees of the Government retail vending TASMAC, and they have been falsely implicated in this case, and they do not have any previous cases. Hence, prays to grant anticipatory bail.

4. The learned Government Advocate(Criminal Side) reported that the petitioners do not have any previous cases. However, he opposed to grant



anticipatory bail to the petitioners.

5. Considering the fact that the petitioners are employees of TASMAC and do not have any previous cases, and that the property has also been recovered, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Harur**, on condition that **the petitioners shall execute a separate 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:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, 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 identify proofs to ensure their identity;

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(c) The petitioners shall report before the respondent police everyday at 09.00 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala [(2005) AIR SCW 5560]*;

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

14-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

mpa



To

1.Judicial Magistrate, Harur.

2.State represented by The Inspector of
Police,
PEW-Harur, Dharmapuri District.
(Crime No.382 of 2024).

3.The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
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