



Crl.OP.No.30605 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.30605 of 2025

1. Vallarasu @ Rajendran
2. Rajesh

... Petitioners

Vs.

State rep. by
The Station House Officer,
Kadampurliyur Police Station,
Cuddalore District.
(Cr.No.355 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to grant an order of anticipatory bail for the petitioners in the event of arrest or their surrender before the Court, pending investigation in connection with Cr.No.355 of 2025 on the file of the respondent.

For Petitioners : Mr.K.Vijayakumar

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 4(1)(C), 4(1-A), 4(1-A)ii of Tamilnadu Prohibition (Amendment)



Act in Cr.No.355 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were found in possession of four litres of ID Arrack. Hence, the present case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and she has been wrongly implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and reported that there is no previous case as against this petitioners and the arrested co-accused are still in custody. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.



6. Considering the nature of offence, the quantity of arrack involved in this case, there is no previous case as against the petitioners, I am inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

7. 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, before the learned **Judicial Magistrate Court-II, Panruti** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** each for a like sum to the satisfaction learned Magistrate concerned, and on further condition that:

(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;



(c) The petitioners shall report before the respondent police everyday 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 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 anticipatory 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 Act.

10.11.2025

Vv

To

1. The Judicial Magistrate Court-II,
Panruti.
2. The Station House Officer,
Kadampurliyur Police Station,
Cuddalore District.
3. The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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