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Crl.O.P.No.31616 o



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.31616 of 2025

Suresh

... Petitioner

-Vs-

State Rep by,
The Sub Inspector of Police,
PEW Gudiyatham Police Station,
Gudiyatham, Vellore District.
(Crime No.130 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023, pleaded to enlarge the petitioner on bail in Crime No.130 of 2025 pending on the file of the respondent police.

For Petitioner : Mr.G.Vinoth Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.11.2025, for the alleged offence punishable under Sections 4(1)(A), 4(1)(C), 4(1-A)(ii) of TNP (Amendment) Act 2024 r/w 123 BNS, in Crime No.130 of 2025, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the petitioner was found in possession of 17 bottles of Karnataka liquor, each containing 90 ml. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner was arrested and he is in judicial custody from 05.11.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that one previous case is pending against him. However, he opposes to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions made by the learned counsel on either side, the period of incarceration undergone by the petitioner and though the petitioner has one previous case pending against him, the same has already been disposed of, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with two sureties, for a like sum to the satisfaction of the *learned Judicial*



Magistrate, Gudiyatham, and on further conditions that:-

[a] the sureties shall affix their photographs and Left

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Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560];



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

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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 will also have a QR code.

To

- 1.The Judicial Magistrate,
Gudiyatham.
- 2.The Sub Inspector of Police,
PEW Gudiyatham Police Station,
Gudiyatham, Vellore District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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