



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO.32428 of 2025

Muthu

Petitioner(s)

Vs

The State Represented by
The Sub-Inspector of Police,
PEW Gudiyatham Police Station,
Vellore District.
Crime No.342 of 2024.

Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No.342 of 2024 on the file of the respondent police.

For Petitioner(s):

Mr.T.Muruganantham

For Respondent(s):

Mr.A.Gopinath
Government Advocate (Crl.side)

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.10.2025 for the alleged offence punishable under Sections 4(1)(a) and 4(1-A)(ii) of TNP Amendment Act, 2024 in Crime No.342 of 2024, seeks bail.

2. The case of the prosecution is that, while the respondent police were on routine patrol duty, they found that the petitioner was involved in illegal possession of 50 packets of ID Arrack (120 ml each). Hence, this case.

3. Earlier, this Court dismissed the bail petition filed by the petitioner in CrI.OP.No.30139 of 2025 by order dated 05.11.2025 on the

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ground that the investigation is pending and also considering the bad antecedents of the petitioner.

4. This is the subsequent bail petition. However, the learned counsel for the petitioner submitted that the petitioner is in judicial custody since 13.10.2025, and he is ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant bail to the petitioner.

5. The learned Government Advocate (Crl.Side) submitted that the investigation is completed and that the petitioner has four previous cases pending against him. Hence, he opposed to grant bail to the petitioner.

6. Considering the fact that the investigation is completed, and though it is stated that the petitioner has four previous cases and taking into account the period of his incarceration, this Court is inclined to grant bail to the petitioner on certain conditions.

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 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 concerned Court daily at 10.30 a.m., for a period of four 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.

27.11.2025

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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,
Vellore District.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,

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High Court, Madras.

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K.RAJASEKAR, J.,

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