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Crl.O.P.No.32382 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2025

CORAM :

THE HON'BLE MR. JUSTICE K. RAJASEKAR

Crl.O.P.No.32382 of 2025

Venkattan

... Petitioner

-Vs-

State Rep by,
The Inspector of Police,
PEW Kallakurichi Police Station,
Kallakurichi District.
(Crime No.72 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 483 of BNSS Act, 2023,
pleased to enlarge the petitioner on bail in Crime No.72 of 2025 pending on the
file of the respondent police.

For Petitioner : Mr.A.Gowtham

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on



13.11.2025, for the alleged offence punishable under Section 4(1)(C), 4(1-A)(11),
Section 7 of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.72

of 2025, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found to be in possession of 2 liters of illicit arrack along with 40 liters of fermented wash.

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 13.11.2025 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 there is no previous 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 the petitioner has no previous case against him, 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 cum District Munsif Court, Kalvarayan Malai*, 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 two 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

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be registered under Section 269 B.N.S.

26.11.2025

drl

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 cum
District Munsif Court, Kalvarayan Malai.
- 2.The Inspector of Police,
PEW Kallakurichi Police Station,
Kallakurichi District.

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3.The Superintendent,
Sub Jail, Kallakurichi.

4.The Public Prosecutor,
High Court, Madras.

K. RAJASEKAR, J.

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