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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.32809 of 2025

Theerthi @ Theerthiyammal

... Petitioner

Versus

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 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Crime No.72 of 2025 on the file of the respondent police.

For Petitioner : Mr.A.Gowtham

For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)

ORDER



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The petitioner, who apprehends arrest by the respondent police for the offences punishable under Sections 4(1-A)(ii), 4(1)(C), 7 of TNP Act, in Crime No.72 of 2025 seeks anticipatory bail.

2.The allegation against the petitioner is that the petitioner along with 3 other accused persons were found to be in illegal possession of 2 liters of illicit arrack and 40 liters of wash. Hence, the complaint.

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

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner has no previous case pending against him. Hence, he opposed to grant anticipatory bail to the petitioner.



5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by learned counsel on either side, the fact that the petitioner has no previous case pending against him, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the ***learned Judicial Magistrate cum District Munsif Court, Kalvarayanmalai*** on condition that the petitioner shall execute a 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



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(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 respondent police, 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 tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.



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To

1.The Judicial Magistrate cum District Munsif Court,
Kalvarayanmalai

2.The Inspector of Police,
PEW-Kallakurichi Police Station,
Kallakurichi District.

3.The Public Prosecutor,
High Court, Madras.



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K.RAJASEKAR, J.

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