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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

CRL.O.P.No.33183 of 2025

1. Munikrishna

2.Thimmaraj

... Petitioners

Versus

State rep. by

The Inspector of Police,

Thally Police Station,

Krishnagiri District.

(Crime No.262 of 2025)

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of B.N.S.S., to enlarge the petitioners on bail in Crime No.262 of 2025 on the file of the respondent police.

For Petitioners : Mr. P.M.Jayachandran

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

ORDER



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The petitioners, who were arrested and remanded to judicial custody on 02.11.2025, for the alleged offence punishable under Sections 4(1), (B) of TNP Act in Crime No.262 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against the petitioners is that the petitioners joined hands with other accused were involved in the possession of 83 liters of Karnataka liquor. Hence, the complaint was lodged, and the petitioners were arrested and are now in judicial custody.

3. Learned counsel appearing for the petitioners submitted that the petitioners are falsely implicated in this case, since they have got some previous cases. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. He further submitted that the petitioners are in judicial custody since 02.11.2025. Hence, he prayed for grant of bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that there



are totally three accused in this case and the petitioners are ranked as A2 and A3. He further submitted that petitioner/ A2 has 3 previous cases, whereas, the petitioner/A3 has no previous antecedents, and that the property involved has been seized. However, he opposes to grant bail to the petitioners.

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 both sides, the fact that the petitioners are in judicial custody from 02.11.2025, though it is stated that the petitioners are having two previous cases, in the present case, the property was seized, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** each, with two sureties, for a like sum to the satisfaction of the *learned District Munsif cum Judicial Magistrate, Denkanikottai*,



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 petitioners 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 petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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.

04.12.2025

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.



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To

1.The District Munsif cum Judicial Magistrate,
Denkanikottai.

2.The Inspector of Police,
Thally Police Station,
Krishnagiri District.

3.The Superintendent,
Sub Jail, Krishnagiri.

4.The Public Prosecutor,
High Court, Madras.



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K. RAJASEKAR, J.

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