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Crl.OP.No.33800 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.12.2025

CORAM

THE HONOURABLE MR JUSTICE **K.RAJASEKAR**

Crl.O.P.No.33800 of 2025

Sakthivel

... Petitioner

Vs.

State rep by
The Inspector of Police
Harur Police Station,
Dharmapuri District.
(Cr.No.512 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail concerned
in Cr.No.512 of 2025 pending on the file of the respondent.

For Petitioner : Mr.J. Pradeep

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
22.11.2025, for the alleged offence punishable under Sections 4(1)(c) r/w
4(1-A)(ii) of TNP Act in Cr.No.512 of 2025, on the file of the respondent
police, seeks bail.



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2. The case of the prosecution is that when the respondent police were on regular patrol duty, they found that the petitioner was in possession of 50 numbers of TASMAL liquor bottles each containing 180 ml. Hence, the case.

3. The 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 is in judicial custody from 22.11.2025 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. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and reported that the petitioner is having three previous cases of similar nature. However, he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the submissions of the learned counsel on either side



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and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Harur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[b] **the petitioner shall report before the Judicial Magistrate Court, Harur on all working days at 10.30 a.m for a period of three weeks and thereafter as and when required for interrogation;**

[c] the petitioner shall make himself available for interrogation by a Police Officer as and when required;

[d] the petitioner shall not directly or indirectly cause any threat to the de facto complainant and witnesses;



[e] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, he shall comply to the directions as may be given by the Court in this regard;

[f] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

10.12.2025

smn

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

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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 Court, Harur**

2. The Inspector of Police
Harur Police Station,
Dharmapuri District.

3. The Sub Jail, Harur

4. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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