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CRL OP No.35358 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35358 of 2025

S. Mahadevan
S/o. Sekar,
No, 191, Pandaga Salai Street,
Nagore, Nagore (Kottagam) Taluk,
Nagapattinam District -611002.

Petitioner(s)

Vs

The State Rep.by,
The Inspector of Police,
Nagapattinam Police Station,
Nagapattinam District.
(Crime No.394 of 2025).

Respondent(s)

PRAYER :To enlarge the Petitioner/Accused on Anticipatory Bail in the event of his arrest in Crime No. 394 of 2025 pending investigation on file of the Respondent Police (Elavanasoorkottai Police Station, Kallakurichi District).



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For Petitioner(s): Mr.M.Sarathkumar
For Respondent : Mr.R.Vinothraja
Government Advocate
(Crl Side)

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 4(1)(aaa) and 4(1-A) of Tamil Nadu Prohibition Act, 2024, in connection with the case in Crime No.394 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 04.09.2025, when the respondent police were in a routine check up near Nagapattinam Abirami Amman Thidal, the petitioner was found in illegal possession of liquor of different brands and also found in possession of illicit arrack.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and that the custodial interrogation is not required in this case and hence prayed to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and on instructions, would submit that the petitioner was found in illegal possession of liquor and illicit arrack and there are two previous case pending against the petitioner and strongly opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police and perused the materials available on record.

6. Considering the nature of offences and that no contraband was recovered from the petitioner and since the custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner on 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 of receipt of a copy of this order, before the learned



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Judicial Magistrate No.I, Nagapattinam on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner and 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 everyday at 10.30 a.m., for a period of four 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



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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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

26.12.2025

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl / 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 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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P.DHANABAL, J.

mtl

To

1. The learned **Judicial Magistrate No.I, Nagapattinam.**
2. The Inspector of Police, Nagapattinam Police Station,
Nagapattinam District.
3. The Public Prosecutor, High Court of Madras.

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