



Crl.O.P.No.35524

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

Crl.O.P.No.35524 of 2025

Sinu Xaviour Robert

... Petitioner

Vs

State Rep. by The Inspector of Police
Vellankanni Police Station
Nagapattinam District
(Crime No.334/ 2025)

... Respondent / Complainant

Prayer: Criminal Original Petition filed under Section 482 of B.N.S.S., pleaded to enlarge the petitioner on bail in the event of his arrest in Cr.No.334/2025 on the file of the respondent police.

For Petitioner : Mr.Ranjith Kumar .J

For Respondent : Mr.S.Udaya Kumar
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) (A) of TNP (Amendment) Act, 2024 in connection with the Cr.No.334 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 09.08.2025, when the respondent police were on their regular patrol duty, at that time, the petitioner



was found in illegal possession of 290 litres of liquor worth about Rs.4,40,000/-. Hence the complaint.

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3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case, as he was in possession of 290 litres of liquor. He further submitted that the petitioner is the owner of the Bar and co-accused was already released on bail. , He has not committed any offence as alleged in the FIR. Hence, he prayed anticipatory bail for the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would contend that the petitioner was found to be in illegal possession of 290 litres of liquor. He further submitted that the petitioner has no previous case pending against him and co-accused had already been released on bail. However, he strongly opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.



6. Considering the submission made by the learned counsel of either side and also considering the nature of offence and no previous case pending against him and co-accused had already been released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the ***District Munsif cum Judicial Magistrate, Kilvelur, Nagapattinam District*** 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 learned Magistrate concerned and on further conditions that :-

[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not commit any offences of similar nature.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Judicial 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].



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P.DHANABAL, J.,

gv/msr

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

gv/msr

30-12-2025

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 District Munsif cum Judicial Magistrate,

Kilvelur, Nagapattinam District

2. The Inspector of Police
Vellankanni Police Station
Nagapattinam District

3. The Public Prosecutor
High Court, Madras.

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