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CRL OP No. 35415 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL OP No. 35415 of 2025

Ajay

Petitioner(s)

Vs

State rep.by, The Inspector of Police,
Thirupathur Taluk Police Station,
Thirupathur District. Cr.No.447/2025.

Respondent(s)

PRAYER

Criminal Original Petition filed under Section 482 of BNSS seeking to grant anticipatory bail to the petitioner in the event of his arrest in Cr.No.447/2025 pending on the file of the respondent.

For Petitioner(s): M/s.R.Thulasi

For Respondent(s): Mr.S.Udaya Kumar,
Govt. Advocate (Crl. side)

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 4(1)(C), 4(1)((A) of Tamil Nadu Prohibition of (Amendment) Act, 2024, in Cr.No.447 of 2025 seeks anticipatory bail.



2. The case of the prosecution is that the petitioner was in possession of 75 bottles of Tasmac liquor. Hence, the case.

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3. Learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side), reiterated the prosecution case and on instructions, would submit that the petitioner has no previous case pending against him.

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 allegations, and the fact that the petitioner have no previous cases pending, 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 **Judicial Magistrate No.II**,



Thirupathur on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each**, 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.

[c] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m for a period of four weeks.

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

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

[f] 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].

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

30-12-2025

dsa/av



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 official website of this Court will be watermarked and will also have a QR code.

To

1. The Inspector of Police
Thirupathur Taluk Police Station,
Thirupathur District.
2. The Judicial Magistrate No.II, Thirupathur.
3. The Public Prosecutor, High Court, Madras.



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P.DHANABAL J.

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