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CrI.O.P.No.35678



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

CrI.O.P.No.35678 of 2025

Kumar

... Petitioner

Vs

State Rep. By
The Inspector of Police
Ethappur Police Station
Salem District
(Crime No.524/ 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.359/2025 on the file of the respondent police.

For Petitioner : Mr.T.Ganesan
For Respondent : Mr.S.Udaya Kumar
Government Advocate (CrI.Side)

ORDER

The petitioner/A1, 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.524 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 15.12.2025, when the respondent police on suspicion, surrounded the petitioner and found in illegal



possession of 24 bottles of liquor and seized the same from him. 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 24 bottles of liquor. He further submitted that the co-accused was arrested and 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 24 bottles of liquor. He further submitted that there are six previous cases pending against him. Hence, 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, quantity involved in this case and



co-accused was arrested and released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

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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 **Judicial Magistrate No.1, Attur** 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



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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 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 Judicial Magistrate No.1, Attur

2. The Inspector of Police
Ethappur Police Station
Salem District

3. The Public Prosecutor
High Court, Madras.

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