



CRL O.P. No.35859 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HON'BLE Mr.JUSTICE P.DHANABAL

CRL OP.No.35859 of 2025

K.Sunil S/o. Kumar

... Petitioner/Sole Accused

Vs

State represented by:

The Inspector of Police,
Tiruvannamalai East Police Station,
Tiruvannamalai District.

[Cr. No.639 of 2025]

.... Respondent/ Complainant

PRAYER: - The Criminal Original Petition is filed under Section 439 of Cr.P.C., praying to grant bail to the petitioner / Sole accused in Cr.No.639 of 2025 on the file of the respondent police.

For Petitioner	: Mr.P.Jayachandran
For Respondent	: Mr. S.Vinoth Kumar, Government Advocate (Crl.Side)

ORDER

The petitioner / Sole Accused, who was arrested on 12.12.2025 and remanded to judicial custody on the same day for the offences punishable under Sections 4(1)(C), 4(1-A)(ii) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Cr.No.639 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 was on their patrolling duty, they found the petitioner with illegal possession of 11 bottles of brandy without labels for sale and hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner had not committed any offence as alleged and the petitioner had been falsely implicated in this case. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, he prays to grant bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting bail to the petitioner by stating that when the respondent police is on patrol duty, they arrested the petitioner for illegal possession of 11 brandy bottles. He would further submit that the investigation is pending and also there are many previous cases as against the petitioner.



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

6. Considering the representations made on both sides and considering the nature of offence, quantity of material involved in this case and that though there are so many previous cases as against the petitioner, in all cases, he was released on bail and also considering the period of incarceration of the petitioner from 12.12.2025, I am inclined to grant bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned **Judicial Magistrate-II, Tiruvannamalai**, and on further conditions that:

[b] the petitioner shall report before the respondent Police on every Saturday @ 10.30 A.M. for a period of four weeks.

[c] the petitioner shall not commit any offence similar to the offence of which he was accused, or suspected, or of the commission of which he is suspected;

[d] the petitioner shall not abscond either during investigation or



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trial;

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[e] the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[f] 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]*.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

30.12.2025

Index: Yes/No Neutral Citation : Yes/No

ssa/gya

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.



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To

1. The Judicial Magistrate-II, Tiruvannamalai.
2. The Public Prosecutor, Madras High Court, Chennai.
3. The Inspector of Police, Tiruvannamalai East Police Station, Tiruvannamalai District.
4. The Superintendent, Central Prison, Vellore.



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P.DHANABAL,J

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