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Crl.O.P.No.35835



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.DHANABAL

Crl.O.P.No.35835 of 2025

Kanagavalli

... Petitioner

Vs

State Rep. by its
The Inspector of Police
Kai Kalathur Police Station
Perambalur District
(Crime No.116/ 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.116/2025 on the file of the respondent police.

For Petitioner : Mr.Thamizh Vendan P.
For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

The petitioner/Accused No.3, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 4(1) (C), r/w 4(1) (A) of TNP (Amendment) Act, 2024 in connection with the Cr.No.116 of 2025, seeks anticipatory bail.

2. The case of the prosecution is that on 20.09.2025, when the respondent police were on their regular patrol duty, at that time, the petitioner



was found in illegal possession of 29 Mclene branch bottles of liquor with capacity of 180 ml. Hence the complaint.

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3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case, as she was in possession of 29 bottles of Mclene brandy each 180 ml. The alleged occurrence took place on 20.09.2025. He further submitted that no contraband recovered from the petitioner. He further submitted that only based on the confession statement of the co-accused, she has been arrayed as an accused. She 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 29 bottles of liquor each 180 ml. He further submitted that A1 was arrested and released on bail. He further submitted that the petitioner has Twenty Three previous cases against him and thereby, 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, though the petitioner has 23 cases pending against her, all are not similar kind of offence and she was released in all the cases and co-accused is also 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 her appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **Judicial Magistrate, Veppanthattai**, 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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P.DHANABAL, J.,

gv/msr

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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, Veppanthattai

2. The Inspector of Police
Kai Kalathur Police Station
Perambalur District
(Crime No.116/ 2025)

3. The Public Prosecutor
High Court, Madras.

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