



CRL.O.P.(MD)No.1896 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 30.01.2025

PRESENT

THE HON`BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.1896 of 2025

1.Bakkiyaraj

2.Muthuvel

... Petitioners/ A1 & R2

Vs

The State of Tamil Nadu,
The State:
Rep. by Inspector of Police,
PEW – Police Station,
Pudukottai.
(Crime No.730 of 2024)

... Respondent/Complainant

For Petitioners : Mr.D.Rameshkumar,
Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023



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PRAYER:-

For Bail in Crime No.730 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who were arrested and remanded to judicial custody on 31.12.2024 for the alleged offences under Sections 4(1)(C) of Tamil Nadu Prohibition (Amendment) Act, 2024 and Section 4(1-A) of Tamil Nadu Prohibition Act, in Crime No.489 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused persons were found in possession of 50 liters of fermented wash and 3 liters of illicit arrack. There are totally 3 accused persons in this case and the petitioners have been arrayed as A1 & A2.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioners have suffered incarceration from 31.12.2024 and taking note of the fact that there are 3 previous cases against A1 and there are no



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previous cases against A2 and also considering the fact that A3 was enlarged on bail by this Court in Crl.O.P.(MD) No.1364 of 2025 by an order dated 24.01.2025, this Court is inclined to grant bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail on their executing 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 Judicial Magistrate No.II, Pudukkottai, and on further conditions that:-

[a] 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.

[b] the petitioners shall report before the respondent Police on every Friday at 10.30 a.m., for a period of 6 weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
30/01/2025

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30/01/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN

TO

1 THE JUDICIAL MAGISTRATE NO.II
PUDUKKOTTAI.



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- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PEW-POLICE STATION,
PUDUKOTTAI DISTRICT.
- 4 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1896 of 2025
Date :30/01/2025

SS/SAR- /30/01/2025/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023