



CRL OP(MD). No.2323 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 06/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2323 of 2025

Subramani @ Vellaiyan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,  
Rep by its the Inspector of Police,  
Devakottai Taluk Police Station,  
Sivagangai District.  
Crime No.26/2025

... Respondent/ Complainant

For Petitioner : Mr.S.Sathyachidambaram,  
Advocate.  
For Respondent : Mr.R. Meenakshi Sundaram,  
Additional Public Prosecutor

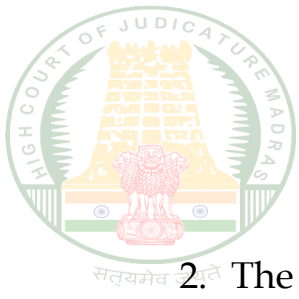
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.26/2025 on the file of the respondent police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 04.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



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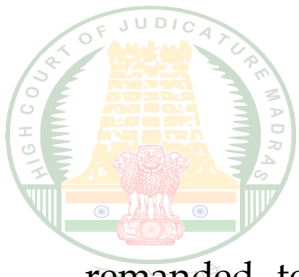
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2. The petitioner / accused No.1 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1-A) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.26 of 2025 on the file of the respondent police.

3. The case of the prosecution is that on 26.01.2024 at about 9.30 am, when the Sub- Inspector of Police along with his team, was on patrol duty, near Thatchuvayal bridge, the Police found the accused persons on Two-wheeler, bearing Reg.Nos.TN-68-CY-0902 and TN-63-BF-3562, behaving in a suspicious manner. On seeing the Police, they attempted to escape. The Police caught two others, excluding the petitioner. On verifying their vehicles, the Police found that they were in illegal possession of 32 liquor bottles, each containing 180 ML. Based on their confession, the petitioner has been arrayed as accused No.1. Hence, the case.

4. Mr.S.Sathiya Chidambaram, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of pre-anticipatory bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent police, submits that the petitioner has one previous case in similar nature. The other accused persons were arrested and



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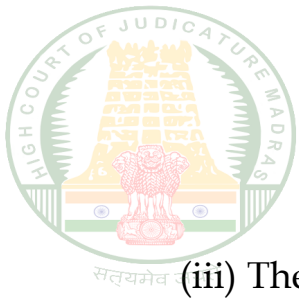
remanded to judicial custody. Accordingly, he prays to dismiss this Criminal  
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Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the facts and circumstances of the case and also considering the fact that the petitioner has permanent residence and has deep roots in the society and therefore, there is less possibility of absconding and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Devakkottai, Sivagangai District, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the said Magistrate.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.



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(iii) Thereafter, the petitioner shall appear before the respondent- police daily at 10.00 am and 5.00 pm until further orders.

(iv) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-  
06/02/2025

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/02/2025  
Sub-Assistant Registrar (C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TRP



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TO मेव जयते

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1 THE JUDICIAL MAGISTRATE, DEVAKKOTTAI, SIVAGANGAI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, DEVAKKOTTAI TALUK POLICE STATION,  
SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate ( SR-1508[I] dated  
10/02/2025 )

ORDER

IN

CRL OP(MD) No.2323 of 2025

Date :06/02/2025

RS/SKN/SAR-(24.02.2025) 5P 6C

Madurai Bench of Madras High Court is issuing  
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