



CRL OP(MD). No.6283 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/04/2025

PRESENT

The HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Duraimanickam,

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
(Crime No.88/2025).

... Respondent/Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.88 of 2025 on the file of the respondent-Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 02.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner/A2 apprehends arrest at the hands of the respondent-Police for the offence punishable under Section 4(1)(C) and 4(1-A)i of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.88 of 2025 on the file of the respondent-Police.

3. The case of the prosecution is that on 27.03.2025, at about 06.00 a.m., near Karuvaikkadu, close to the cemetary at Ammanpettai within the Nadukavery Police range limits, the defacto complainant, who is the Sub-Inspector of Police, along with his police team, was conducting an inspection. During the inspection, they noticed that two accused persons, one of whom was holding a white sack bag. On seeing police, both attempted to flea the scene. While the petitioner herein escaped and Accused No.1 caught by them. Thereafter, the respondent-police conducted search and found that Accused No.1 was in illegal possession of 12 bottles of liquor (each



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containing 180 ml) and the police team arrested Accused No.1 and seized liquor bottles from him. Hence, the complaint.

4. Mr.R.L.Dhilipan Pandian, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that he has been falsely implicated in this case. He however submits that he is ready to abide by any conditions to be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that there are two previous cases pending against the petitioner, out of which, one is similar in nature. Accordingly, he prays for dismissal of this petition.

6. The petitioner has permanent residence and deep roots in the society and hence, there is less possibility of absconding. Considering the above facts and with a view to give one more opportunity to the petitioner to reform himself in the society, and taking note of the fact that the liquor bottles have already been seized by the respondent-police, the custodial interrogation is not necessary, hence, this Court is



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inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District, within a period of fifteen days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand Only) to the satisfaction of the learned Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District,;

(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.30., a.m., until further orders;

(iii) 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 Court, Thiruvaiyaru, Thanjavur District, shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to



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the learned Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District,;

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

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District, 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].

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

sd/-
04/04/2025

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/04/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG



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1 THE JUDICIAL MAGISTRATE
THIRUVAIYARU, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
NADUKAVERI POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-4061[I] dated 08/04/2025)

ORDER
IN

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Date :04/04/2025

SS/SAR- /30/04/2025/ 6P/6C

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