



CRL OP(MD). No.6565 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.6565 of 2025

Lakshmi

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,.
Pappanadu Police Station, Thanjavur
District. Crime No. 47/2025..

... Respondent/Complainant

For Petitioner : Mr. C.Senthil Murugan
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. 47 of 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 07.04.2025



CRL OP(MD). No.6565 of 2025

under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner / sole accused apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 4(1)(a) r and 4 (1-A) of Tamil Nadu Prohibition Act, in Crime No.47 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that on receiving a secret information on 11.02.2025, the defacto complainant-Sub Inspector of Police and police party were on surveillance and at that time, they found that the petitioner herein was illegally found in possession of 50 bottles of liquor (each contains 180 ml). Hence, the case.

4. Mr. C. Senthil Murugan, the learned counsel for the petitioner, submits that the petitioner is an innocent person, and she has not committed any offence as alleged by the prosecution, and she has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He therefore prays for grant of pre-arrest bail to the petitioner.



CRL OP(MD). No.6565 of 2025

WEB COPY

5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are 7 previous cases pending against the petitioner, which are similar in nature. He further submits that the liquor bottles were seized and the investigation of the case is still pending and therefore, at this stage, if pre-arrest bail is granted to the petitioner, she may commit the similar offence. Accordingly, he prays to dismiss this Criminal 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 liquor bottles have been seized, this Court is of the view that the custodial interrogation of the petitioner is not necessary. The petitioner has permanent residence and deep roots in the society. Therefore, there is less possibility for absconding. Considering the same, and also considering the fact that the petitioner is a woman and with a view to give one more opportunity to the petitioner to reform herself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions.

(i) The petitioner shall be released on pre-arrest bail in the event of her arrest or



CRL OP(MD). No.6565 of 2025

WEB COPY

in the event of her surrender before the learned Judicial Magistrate, Orathanadu, within a period of 15 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, Orathanadu, .

(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, Orathanadu shall obtain a copy of any one of identity proofs to ensure their identity.

(iii) The petitioner shall report before the learned Judicial Magistrate, Orathanadu on all working days at 10.30 am until further orders;

(iv) The petitioner shall make herself available for interrogation by a police officer as and when required.

(v) 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 her from disclosing such facts to the Court or to any police officer.



CRL OP(MD). No.6565 of 2025

WEB COPY

(vi) The petitioner shall not leave India without the prior permission of the Court.

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

(viii) The petitioner shall furnish her residential address and mobile number to the learned Judicial Magistrate, Orathanadu.

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Orathanadu 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/-
23/04/2025

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/05/2025

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

TRP



CRL OP(MD). No.6565 of 2025

TO WEB COPY

1 THE JUDICIAL MAGISTRATE
ORATHANADU.

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

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

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

ORDER
IN
CRL OP(MD) No.6565 of 2025
Date :23/04/2025

SS/SAR- /26/05/2025/ 6P/5C

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