

CRL.OP(MD). No.7154 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.7154 of 2025

Ravichandran

... Petitioner / Accused No.1

Vs.

The State of Tamil Nadu rep by
The Sub Inspector of Police,
PEW-Kumbakonam Police Station,
Thanjavur.
(Crime No.14 of 2025)

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the
petitioner in Crime No.14 of 2025 on the file of the respondent police.

For Petitioner : Mr.S.Sathyachidambaram,
Advocate

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



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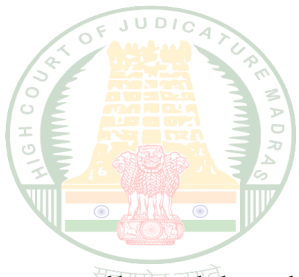
ORDER: The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 16.04.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 4(1)(B) of the Tamil Nadu Prohibition (Amendment) Act, 2024 and Section 24 of the Tamil Nadu Prohibition Act, in Crime No.14 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that, on the day of the occurrence, during their routine checking duty, the respondent police found that a TASMAC liquor shop, which had previously been closed by the authorities, was found open. The petitioner / Accused No.1 had appointed Accused No.2 to open the TASMAC shop without a proper license and sell liquor and snacks. As a result, the respondent police registered the present case against the petitioner. Hence, the case.

4. Mr.S.Sathyachidambaram, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as



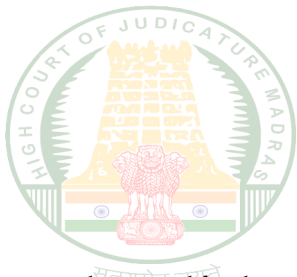
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alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.K.Sanjai Gandhi, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that there are totally two accused persons in this case and the petitioner has been arrayed as A1. He further submits that Accused No.1 had appointed Accused No.2 to open the TASMACH shop without a proper license and sell liquor and snacks. He further submits that there are no previous cases against the petitioner. However, he, submits that if pre-arrest bail is granted to the petitioner, he will abscond and tamper with the evidence. He therefore prays to dismiss this Criminal Original Petition.

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

7. The petitioner has permanent residence. Hence, there is less possibility of absconding. Considering the same and also considering the fact that the petitioner is a first offender and with a view to give an opportunity to the petitioner to reform



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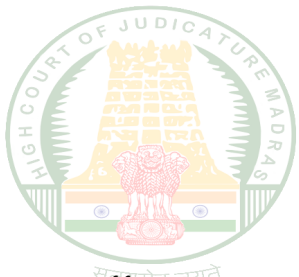
himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(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 District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District, 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 District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District.

(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.

(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m. until further orders.

(iv) The petitioner shall make himself available for interrogation by a police



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officer as and when required.

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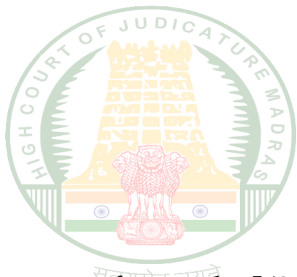
(v) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

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

(vii) The petitioner shall not leave India without the previous permission of the Court.

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

(ix) 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*



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of Kerala [(2005) 13 SCC 283].

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

Sd/-

21/04/2025

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Sub-Assistant Registrar

(C.S.I / II / III / IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1.The District Munsif cum Judicial Magistrate, Papanasam, Thanjavur District

2 Do through the Chief Judicial Magistrate, Thanjavur @ Kumbakonam

3.The Sub Inspector of Police,
PEW-Kumbakonam Police Station,
Thanjavur.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to S.SATHYACHIDAMBARAM Advocate SR.No.4479 dt 22.04.2025



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ORDER
IN
CRL OP(MD) No.7154 of 2025
Date :21/04/2025

RK(14/05/2025) 7P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.