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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.8384 of 2025

1. Rajangam
2. Murugesan @ Murugan
3. Arivazhagan
4. Dhandayuthabani ... Petitioners

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Thiruvonam Police Station,
Thanjavur District. ... Respondent

For Petitioners : M/s.A.Banumathy

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS, 2023

PRAYER :-

For Anticipatory Bail in Crime No.95 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A3 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(C), 4(1)(A) of the

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Tamil Nadu Prohibition (Amendment) Act 2024, in Crime No.95 of 2025, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 01.05.2025, around 8.15 a.m., on a secret information, the respondent Police went to Ooranipuram Aattrangarai Wine Shop No.8097 and found that A1 and A2, without obtaining license, sold out the liquor bottles and based on the confession statement of A1 and A2, the petitioners have been implicated in this case. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they are not involved in any offence as alleged by the prosecution. She further submits that the petitioners are working as Salesmen and Supervisors in the TASMAC Shop and they have not committed any offence as alleged by the prosecution. Based on the confession statement of A1 and A2, the petitioners have been implicated in this case. Hence, she prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submits that the A1 and A2 were found in possession of 869 Tasmac liquor bottle worth about Rs.1,26,220/- and with the help of the petitioners herein, they sold out the liquor bottles at least price, outside the wine shop. Therefore, A1 and A2 were arrested, from whom, liquor bottles were recovered. Hence, he opposes to grant bail to the petitioners.

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5. Considering the nature of the allegations and also considering the fact that the petitioners are working under the TASMAC Shop and there was no recovery of liquor bottles from the petitioners, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Orathanadu, Thanjavur District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)each, with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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 daily at 10.30 a.m. until further orders.

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

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investigation or trial.

[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 petitioner 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 abscond, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
08/05/2025

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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1. The Judicial Magistrate Court,Orathanadu,Thanjavur District.

2. Do through the Chief Judicial Magistrate, Thanjavur at Kumbakonam.

3. The Inspector of Police,Thiruvonam Police Station,Thanjavur District.

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

+1 CC to M/s.A.BANUMATHY, Advocate (SR-5347[I] dated 08/05/2025)

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ORDER IN
CRL OP(MD) No.8384 of 2025
Date :08/05/2025

PP/27.05.2025 5P/6C
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