



CRL OP(MD)No.8484 of 2025

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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.8484 of 2025

Mokkai @ Mokkasamy

... Petitioner

Vs

State of Tamil Nadu rep. By
Inspector of Police,
Palanichettipatti Police Station,
Theni District,
(Crime No.149 of 2025)

... Respondent

For Petitioner : Mr.M.Arikaran

For Respondent : Mr.B.Thanga Aravindh

Government Advocate (Crl.Side)

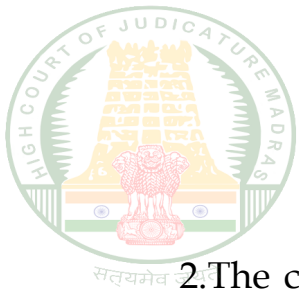
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.149 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(A) and 24 of Tamil Nadu Prohibition Act, 1937, in Crime No.149 of 2025, on the file of the respondent police, seeks anticipatory bail.



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2.The case of the prosecution is that on 04.05.2025 at about 07.30 p.m., while conducting patrol duty, the respondent police intercepted the petitioner's vehicle. On seeing the respondent police, the petitioner tried to flee. However, upon conducting search, the respondent police, recovered 665 Government sealed alcohol bottles from his possession. Hence, the respondent police registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner was not present at the place of occurrence and the seized materials were recovered only from the Accused Nos.1 and 2. Only on the confession of Accused Nos.1 and 2, the petitioner has been implicated in this case and he has not committed any offence.

4.The learned Government Advocate (Crl.) appearing for the respondent on instruction would submit that there are two previous cases of similar nature pending as against the petitioner. A1 and A2 were arrested and remanded to judicial custody. He objects to grant anticipatory bail to the petitioner.

5.Considering the fact that the properties involved in this case were recovered from the Accused Nos.1 and 2, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in



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the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Theni, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 petitioner 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 petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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[f] If the accused thereafter absconds, a fresh FIR can be registered under

Section 269 of BNS 2023.

sd/-

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Sub-Assistant Registrar

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

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

MRN

TO

1.The Judicial Magistrate, Theni.

2.Do through the Chief Judicial Magistrate, Theni.

3.The Inspector of Police, Palanichettipatti Police Station, Theni District.

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

ORDER IN

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Date :08/05/2025

PP/26.05.2025 4P/5C

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