



CRL OP(MD). No.8659 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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(Criminal Jurisdiction)

Date : 22.05.2025

PRESENT

The HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD). No.8659 of 2025

Peramaiyan,
S/o.Ganesan

...Petitioner / Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Madukkur Police Station,
Thanjavur District.
(Crime No.167 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.P.Balamurugan,
Advocate.

For Respondent :Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS, 2023.

PRAYER :- For Bail in Crime No.167 of 2025 on the file of the respondent police.



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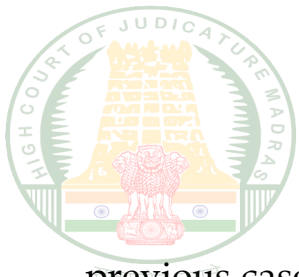
ORDER : The Court made the following order :-

The petitioner /sole accused, who was arrested and remanded to judicial custody on 01.05.2025 for the offences under Sections 4(1)(C) and 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.167 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 01.05.2025, the petitioner was found in illegal possession of 161 bottles of various types of TASMAC liquor and a sale amount of Rs.1,000/-. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 01.05.2025. Hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the petitioner was found in illegal possession of 161 bottles of various types of TASMAC liquor and a sale amount of Rs.1,000/-. He further submitted that the petitioner had already filed a bail application before the I Additional District and Sessions Judge (PCR), Thanjavur / Vacation Sessions Judge, Thanjavur in Crl.M.P. No.79 of 2025, and the same was dismissed on 08.05.2025. He would further submit that no



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previous case is pending against the petitioner. He, however, would submit that the investigation in this case is still pending and that, at this stage, if bail is granted to the petitioner, he may abscond and tamper with the evidence. He, therefore, opposes the grant of bail to the petitioner.

5. This Court has heard the learned counsel on both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the fact that no previous case is pending against the petitioner and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioner, however, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Pattukkottai and on further conditions that :-

[a] 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.



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[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

8. In the result, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
22/05/2025

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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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PAL जयते
TO COPY

1. THE JUDICIAL MAGISTRATE,
PATTUKKOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.
3. THE OFFICER-IN-CHARGE,
DISTRICT JAIL,
PUDUKKOTTAI.
4. THE INSPECTOR OF POLICE,
MADUKKUR POLICE STATION,
THANJAVUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.BALAMURUGAN, Advocate (SR-5741[I] dated 23/05/2025)

ORDER
IN
CRL OP(MD) No.8659 of 2025
Date :22/05/2025

HPS/23.05.2025 /5P/7C

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