



CRL OP(MD). No.8729 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.8729 of 2025

Vijay,
S/o.Veerassamy

... Petitioner/ A4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Pandhanallur Police Station,
Thanjavur District.
(Crime No.13 of 2025)

... Respondent/Complainant

For Petitioner : Mr.PR Boomeerajan,
Advocate

For Respondent : Mr.S.Prakash,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



CRL OP(MD). No.8729 of 2025

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PRAYER:-

For Anticipatory Bail in Crime No.13 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(A) and 4(1-A)(ii) of the Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.13 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 12.01.2025, while the de-facto complainant, who is the Sub-Inspector of Police, was patrolling the Mela Theru locality in Karuppur, he noticed three men standing near the house of one Madhan Kumar. Upon seeing the de-facto complainant, the men attempted to flee the spot. However, the de-facto complainant managed to apprehend one of them. Upon enquiry, it was found that the accused were in possession of 807 bottles of brandy, each containing 180 ml. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution.



CRL OP(MD). No.8729 of 2025

He has been implicated as an accused in this case solely based on the confession of the 1st accused. He, however, submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that there are totally four accused persons in this case and the petitioner has been arrayed as A4. A1 to A3 were arrested and subsequently released on bail. The entire contraband has been seized. He further submitted that the investigation in this case has been completed and the charge sheet has also been filed through e-filing. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, and taking note of the fact that the entire contraband has already been seized, and that the investigation in this case has already been completed and the charge sheet has also been filed through e-filing, and that the co-accused were arrested and subsequently released on bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



CRL OP(MD). No.8729 of 2025

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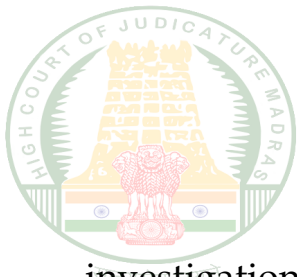
6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur on condition that the petitioner shall execute 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 the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur and on further conditions 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 furnish his residential address and mobile number to the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur. In the event of any change in his residential address, the petitioner shall report the same to the learned District Munsif cum Judicial Magistrate, Thiruvudaimaruthur;

(c) the petitioner shall report before the respondent police daily twice i.e. at 10.30 a.m. and 05.30 p.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during



CRL OP(MD). No.8729 of 2025

investigation or trial;

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(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]*; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

Sd/-

10.07.2025

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/ /2025

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court

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TO

1.The District Munsif cum Judicial Magistrate,
Thiruvidaimaruthur.

2.Do Through The Chief Judicial Magistrate,
Thiruvidaimaruthur.



CRL OP(MD). No.8729 of 2025

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

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

ORDER
IN
CRL OP(MD) No.8729 of 2025

Date : 10/07/2025

JJ/23.07.2025 6P/ 5C

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