



CRL OP(MD). No.11668 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 14/08/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.11668 of 2025

Malarkannan,  
S/o.Pazhaniyappan

... Petitioner/ A2

Vs

The State of Tamil Nadu,  
Rep. by, the Inspector of Police,  
Nangavaram Police Station,  
Karur District.  
(Crime No.169 of 2025)

... Respondent/ Complainant

For Petitioner : Mr.V.Karuna,  
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.169 of 2025 on the file of the Respondent Police.



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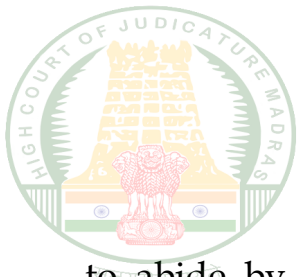
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ORDER : The Court made the following order :-

The petitioner/ A2, who 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 in Crime No.169 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 05.07.2025, on receipt of secret information, the respondent police conducted a search at Rettaivaikal, Neithalur. At that time, they found that the petitioner and the other accused were selling 21 TASMAC liquor bottles, each containing 180 ml, and also permitting the buyers to consume alcohol on the spot without a valid permit or licence. Hence, a case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution, and that he has been falsely implicated in this case. He further submitted that A1 was arrested and subsequently released on bail by this Court on 29.07.2025 in Crl.O.P.(MD)No.12729 of 2025. He, however, submitted that the petitioner is willing



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to abide by any conditions that may be imposed by this Court. Hence, he seeks  
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anticipatory bail.

4. The learned Government Advocate (Criminal Side) submitted that there are totally two accused persons in this case and the petitioner has been arrayed as A2. A1 was arrested and subsequently released on bail by this Court on 29.07.2025 in Crl.O.P.(MD)No.12729 of 2025. He further submitted that the entire properties have been recovered. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, the nature of the offence, and taking note of the fact that the co-accused was arrested and subsequently released on bail by this Court, and that the entire properties have already been recovered, and that as the date of occurrence is 05.07.2025, by this time most of the investigation might have been completed, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Kulithalai,



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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 Judicial Magistrate No.II, Kulithalai, 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 furnish her residential address and mobile number to the learned Judicial Magistrate No.II, Kulithalai. In the event of any change in her residential address, the petitioner shall report the same to the learned Judicial Magistrate No.II, Kulithalai;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

(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



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law as if the conditions have been imposed and the petitioner released on bail by the  
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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/petitioner thereafter abscond, a fresh FIR can be registered  
under Section 269 of BNS, 2023.

sd/-  
14/08/2025

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/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 No.II,  
Kulithalai.

2.The Inspector of Police,  
Nangavaram Police Station,  
Karur District.

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



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ORDER  
IN  
CRL OP(MD) No.11668 of 2025  
Date :14/08/2025

AS/03.09.2025/6P/5C

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