



CRL OP(MD).No.12296 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

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Manuel Machado @ Manuvel Machoda,
S/o.James,

.. Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
PEW-Thoothukudi,
Thoothukudi District.
(Crime No.7 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.7 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(c), 4(1)(A) and 14(A) of TamilNadu



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Prohibition (Amendment) Act, 2024 in Crime No.7 of 2025 on the file of the
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respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on the secret information, the respondent police were conducted a vehicle check up nearby Villavarayar Shipping Company, Embarar Street, Thoothukudi, at that time, the first accused came there in a two-wheeler, the respondent police intercepted the vehicle and found that the first accused was in illegal possession of four number of liquor bottles each contained 750ml. Hence, the case.

3. The learned counsel for the petitioner would submit that the respondent police lodged a false complaint against the petitioner. Only based on the confession statement of the first accused, this petitioner was arrayed as second accused. The petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The petitioner is ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the first accused was in illegal possession of four bottles of liquor, based on his confession only, this petitioner was arrayed as second accused. The entire properties were recovered by the respondent police. The first accused was arrested and



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subsequently released on bail. However, he opposed to grant anticipatory bail to the
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petitioner.

5. Considering the facts and circumstances of the case and also taking note that the entire properties were recovered by the respondent police, the first accused was arrested and subsequently released on bail, 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 anticipatory 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 Judicial Magistrate No.III, Thoothukudi 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi 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 contact number to



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the learned Judicial Magistrate No.III, Thoothukudi. In the event of any change in his residential address, the petitioner shall report the same to the learned Judicial Magistrate No.III, Thoothukudi;

(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 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/-
23/07/2025

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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
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- 1.The Judicial Magistrate No.III,
Thoothukudi.
- 2.The Inspector of Police,
PEW-Thoothukudi,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.12296 of 2025
Date :23/07/2025

HPS/25.08.2025 5P/4C

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