



CRL OP(MD).No.12900 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2025

PRESENT

THE HONOURABLE MR.JUSTICE P. VADAMALAI

CRL OP(MD).No.12900 of 2025

1. Murugan,
S/o.Appavu,

2. Karuppaiyan,
S.o.Chidambaram,

3. Kasinathan,
S/o.Dharmaraj

4. Murugesan,
S/o.Saminathan,

5. Rajendiran,
S/o.Amirthalingam

6. Saravanakumar,
S/o.Samynathan

7. Murugaiyan,
S/o.Govindaraj

..Petitioners/ Accused Nos.7 to 13

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
(Crime No.308 of 2025)

.. Respondent/ Complainant

For Petitioners : Mr.A.Sivasubramanian
Advocate

For Respondent : Mr.S.Prakash

Government Advocate (Criminal Side)



CRL OP(MD).No.12900 of 2025

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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PRAYER :-

For Anticipatory Bail in Crime No.308 of 2025 on the file of the Respondent Police.

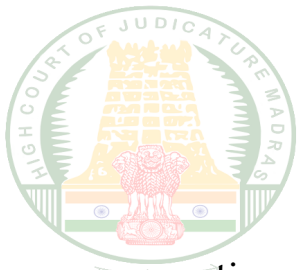
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(B) & 4(1)(A) of the Tamilnadu Prohibition (Amendment) Act, 2024 in Crime No.308 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 22.07.2025, while the respondent police on surveillance duty near Orathanadu old Court Road, the accused persons were found with sack bags near TASMAL shop No.8022. On seeing the police officials two persons escaped and remaining four persons were caught and on enquiry it was found that they were in illegal possession of TASMAL liquor bottles in the five sack bags and two boxes totally 177 numbers of liquor bottles. The respondent police seized the property and registered FIR in Cr.No.308 of 2025. Hence, the case.

3. The learned counsel for the petitioners would submit that the respondent police lodged a false complaint against these petitioners. The petitioners are innocent persons and they have not committed any offences as alleged by the

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CRL OP(MD).No.12900 of 2025

prosecution. The petitioners are ready and willing to abide any conditions which may be imposed by this Hon'ble Court. Hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) submitted that the accused persons were in illegal possession of 177 numbers of liquor bottles and they trying to sell the same in the black market with higher price. In this case, there are totally 13 accused persons, these petitioners were arrayed as Accused Nos.7 to 13. The Accused Nos.1,4,5 and 6 were enlarged on bail by the learned Principal District and Sessions Judge, Thanjavur in Crl.M.P.No.4171 of 2025. The entire properties were recovered by the respondent police. There is no previous case pending against these petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and also considering the fact that the Accused Nos.1,4,5 and 6 were enlarged on bail by the learned Principal District and Sessions Judge, Thanjavur in Crl.M.P.No.4171 of 2025, by this time material part of investigation might have been completed, the entire properties were recovered by the respondent police, there is no previous case pending against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of



CRL OP(MD).No.12900 of 2025

their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Orathanadu on condition that the petitioner shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, Orathanadu and on further conditions that:

(a) the petitioners 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 petitioners shall furnish their residential address and contact number to the learned Judicial Magistrate, Orathanadu. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate, Orathanadu;

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

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

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



CRL OP(MD).No.12900 of 2025

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(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
05/08/2025

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/ /2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn

TO

1.The Judicial Magistrate,
Orathanadu, Thanjavur District.

2.The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.

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

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CRL OP(MD).No.12900 of 2025

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ORDER
IN
CRL OP(MD) No.12900 of 2025
Date :05/08/2025

SBN/25.08.2025 6P/5C

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