



CRL OP(MD)No.14859 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.09.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1. Karthi,
S/o.Arumugam

2. Mariyappan,
S/o.Gangatharan

3. Yogesh,
S/o.Anyappan

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.
(Crime No.339 of 2025)

... Respondent/Complainant

For Petitioners : Mr.S.Punniyamoorthy

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

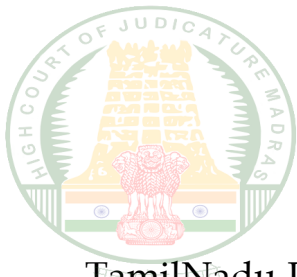
PRAYER :- For Bail in Crime No.339 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on

09.08.2025 for the offences punishable under Sections 4(1)(A) and 4(1-A)(ii) of

<https://www.mhc.tn.gov.in/judis>



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TamilNadu Prohibition (Amendment) Act, 2024 in Crime No. 339 of 2025 on the file
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of the respondent police, seek bail.

2. The case of the prosecution is that on 09.08.2025, these petitioner and other accused were smuggled 300 numbers of 180ml pondicherry brandy liquor bottles in two cars bearing registration No.PY 02 X 3706 and KA 04 MS 4735. Hence, the complaint.

3. The learned counsel for the petitioners would submit that already the petitioner Nos.2 and 3 herein were granted bail by this Court in Crl.O.P.(MD). No.14782 of 2025 dated 09.09.2025, their names were wrongly included in the present bail petition. He further submits that he represented only for the first petitioner alone. He further submits that the respondent police lodged a false complaint against the first petitioner. The first petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. The first petitioner is ready and willing to abide by any conditions that may be imposed by this Court. He would further submit that the first petitioner herein is in judicial custody from 09.08.2025, nearly 32 days. Hence, he seeks bail.

4. The learned Additional Public Prosecutor would submit that the first petitioner and other accused persons were illegally transported 300 numbers of Pondicherry liquor bottles. The entire properties were recovered by the respondent



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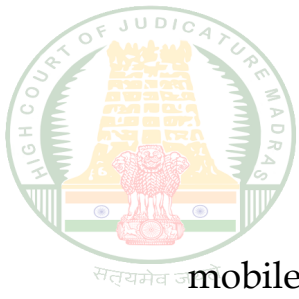
police. Already the petitioner Nos.2 and 3 herein were granted bail by this Court in
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Crl.O.P.(MD).No.14782 of 2025 dated 09.09.2025, their names were wrongly
included in the present bail petition. There is no previous case against the first
petitioner. However, he opposed for grant of bail to the first petitioner.

5. Taking into consideration of the facts and circumstances of the case and also
considering the fact that there is no previous cases against the first petitioner and
considering the period of incarceration suffered by the first petitioner, the Accused
Nos.2 and 3 i.e., the petitioners 2 and 3 herein were already granted bail by this
Court in Crl.O.P.(MD).No.14782 of 2025 dated 09.09.2025, therefore, this Court is
inclined to grant bail to the first petitioner herein, subject to the following
conditions:

6. Accordingly, the first petitioner herein is ordered to be released on bail on
executing 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 learned District Munsif cum
Judicial Magistrate, Thiruvudaimarudur 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 first petitioner shall furnish his residential address and



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mobile number to the learned District Munsif cum Judicial Magistrate,
Thiruvidaimarudur.

[c] If the first petitioner changes his residential address, he shall report the same to the learned District Munsif cum Judicial Magistrate, Thiruvidaimarudur.

(*) [d] the first petitioner shall make a non-refundable deposit of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Advocate Clerk's Welfare Association, Madurai Bench of Madras High Court, Madurai, Account No.496039124, IFSC Code.IDIB000H040, Indian Bank, High Court Branch, Madurai, without prejudice to his defence before the trial Court and produce the acknowledgment at the time of executing bond;

[e] the first petitioner shall appear and sign before the respondent police daily at 10.30a.m. until further orders.

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

[g] the first petitioner shall not tamper with evidence or witness either during investigation or trial.

[h] On breach of any of the aforesaid conditions, the learned



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Magistrate/Trial Court is entitled to take appropriate action against the first 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].

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

sd/-
10/09/2025

(*)Corrected as per the order of this Court dated
12/09/2025 made in CRL OP(MD) No.14859 of 2025

/ TRUE COPY /

12/09/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

To be substituted to the order which is already despatched on 10/09/2025
gvn

TO

1.The District Munsif Cum Judicial Magistrate,
Thiruvudaimarudhur.

2.Do Through The Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Superintendent,
Sub Jail, Thiruvudaimarudhur.

<https://www.jmho.in.gov.in/judis>



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4.The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.

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

Copy to

The Officer Incharge,
Advocate Clerk's Welfare Association,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN

CRL OP(MD) No.14859 of 2025
Date :10/09/2025

SBN/10.09.2025 6P/8C

HPS/12.09.2025 6P/8C

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