



CRL OP(MD). No.18716 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.10.2025

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

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1.Selvam

2.Karthi

... Petitioners/Accused

Vs

The State of Tamil Nadu
Rep.By, the Inspector of Police,
Budalur Police Station,
Thanjavur District.
(Crime No.262 of 2025)

... Respondent/Complainant

For Petitioners : Mr.D.Rajaboopathy
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.262 of 2025 on the file of
the Respondent Police.



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ORDER : The Court made the following order :-

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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(A), 4(1)(C) of TN Prohibition (Amendment) Act, 2024, in Crime No.262 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found in illegal possession of 15 brandy bottles. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are willing to abide by any conditions that may be imposed by this Court. Hence, he seeks anticipatory bail for the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there are 47 previous cases pending against the 1st petitioner and there is no previous case pending against the 2nd petitioner. However, he vehemently opposed to grant of



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anticipatory bail to the petitioners.

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5. Considering the facts and circumstances of the case and also the fact that there are 47 previous case pending against the 1st petitioner, this Criminal Original Petition is dismissed in respect of the 1st petitioner. Further, there is no previous case pending against the 2nd petitioner and the property has been recovered, this Court is inclined to grant anticipatory bail to the 2nd petitioner, subject to certain conditions.

6. Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the 2nd 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 learned Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[a]the 2nd petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond



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and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the 2nd petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation.

[c]the 2nd petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d]the 2nd petitioner shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd petitioner are released on bail by the learned



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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].

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

(S S Y J)
27.10.2025

msrm

To

- 1.The learned Judicial Magistrate Court,
Thiruvaiyaru, Thanjavur District.
- 2.The Inspector of Police,
Budalur Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

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**ORDER
IN
CRL OP(MD). No.18716 of 2025**

27.10.2025