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CRL OP No. 35110 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-01-2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 35110 of 2025

1. V Pichamuthu
No 97 Ellan Kovil Street
Pethanaickenpalayam Salem District
636109

Petitioner(s)

Vs

1. The State Rep By, The Inspector of
Police
The Inspector of Police, Ethappur
Police Station, Salem District.
(Crime.No. 523/2025)

Respondent(s)

PRAYER

To enlarge the Petitioner on Bail in the event of his arrest in Crime. No.523 of 2025 on the file of the Respondent Police and pass orders or any other orders as this Honble court.

For Petitioner: Mr.TM Ramalingam
For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(A) of the Tamil Nadu Prohibition (amendment) Act 2024 in Crime No.523 of 2025, seeks anticipatory



bail.

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2. The case of the prosecution is that the petitioner herein is involved in possession of 121 bottles of liquor, each containing 180 ml, for the purpose of selling the same as retail. Hence, police, on information, inspected the premises and seized the bottles. However, the petitioner has absconded from the place of occurrence. Hence the compliant.

3. The learned counsel appearing for the petitioner would submit that it is a case of false acquisition and the property kept in the common area is not a place belonging to the petitioner herein. He further submitted that after registering this case, another case was also registered against the petitioner for the purpose of detaining him, and he is ready to abide by any conditions that may be imposed by this Court. Therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is also involved in another case subsequently in Crime No.536 of 2025. Hence, she opposed to grant anticipatory bail to the petitioner.



5. Considering the nature of the allegations and that the contraband was seized in this case and no previous cases reported, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate-I, Attur, Salem District**, on condition that **the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further condition:

(a) If the petitioners fails to surrender before the concerned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']'. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions 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 v. State of Kerala* [(2005) AIR SCW 5560];

(e) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

05-01-2026

Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate-I, Attur, Salem District.

2. The State Rep By, The Inspector of Police

The Inspector of Police, Ethappur
Police Station, Salem District.
(Crime.No. 523/2025)

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR J.
mpa

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