

(2025) 11 MAD CK 1914

In the Madras High Court

Case No : Criminal Original Petition No. 30582 Of 2025

Ranjithkumar

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 10-11-2025

Acts Referred:

Bharatiya Nyaya Sanhita, 2023 — Section 269, 303(2), 326(A)
Tamil Nadu Prohibition Act, 1937 — Section 4(1)(A), 4(1)(C)

Citation : (2025) 11 MAD CK 1914

Hon'ble Judges : K.Rajasekar, J

Bench : Single Bench

Advocate : S.Thirugnanam, A.Gopinath

Judgement

K. Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 28.09.2025, for the alleged offence punishable under Sections 303(2), 326(a) of BNS, 2023 and 4(1)(A), 4(1)(C) of TNP Act in Crime No.171 of 2025, on the file of the respondent police, seeks bail.

2. The allegation against this petitioner is that this petitioner was found in possession of 75 kgs of sand stolen from the nearby river and also 20 liquor bottles each containing 180 ml. He was arrested on 28.09.2025 along with the properties. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submitted that the bottles recovered from his house, it is not a spurious liquor. He would further submit that the petitioner was arrested and he is in judicial custody from 28.09.2025 and is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police

submitted that the petitioner is having 49 previous cases, out of which 41 already concluded and 8 are still pending and he opposed for grant of bail to the petitioner.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and the period of incarceration undergone by the petitioner, and the remand order passed by the Magistrate also the facts that the petitioner is in judicial custody from 28.09.2025 considering the contraband seized, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Vellore, Vellore District, 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 petitioner shall report before the concerned Court daily at 10.30 a.m., for a period of two weeks;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness 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 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];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.