



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 16752 of 2026

C.Ashokan

Kattu Kottagai, Nergunam Village, Veppanthattai
Taluk, Perambalur District.

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
PEW, Perambalur,
Perambalur District.
Crime No.1335 of 2018.

..Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in SC.No.24 of 2022 on the file of the Chief Judicial Magistrate, Perambalur and thus render justice.

For Petitioner(s): C.Prakasam

For Respondent(s): MS.R.S.INDIRA,
GOVT.ADVOCATE (CRL.SIDE)

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 328, 468, 471, 420 r/w 511 IPC r/w 4(1)(aaa), 4(1)(A) of TNP Act r/w U/s.6 and 7 of Tamil Nadu Rectified Sprit Rules, 2000 in Crime No.1335 of 2018 on the file of the respondent police seeks anticipatory bail.

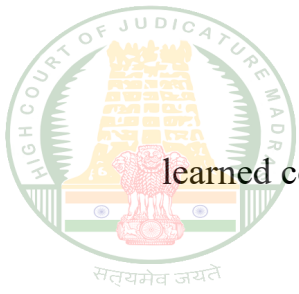


2. The allegation against the petitioner is that rectified spirit was seized from a house owned by the petitioner and let out to Accused Nos.1 and 5, and hence he has been implicated as one of the accused.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He further submitted that a quash petition in Crl.OP.No.19105 of 2023 is pending before this Court, wherein the personal appearance of the petitioner was dispensed with. Despite this operating order, the trial court issued a Non-Bailable Warrant against the petitioner on 03.06.2026. Hence, he prayed for the grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the investigation has completed and the charge sheet has been filed, and the same was taken as S.C. No.24 of 2022 on the file of the Chief Judicial Magistrate, Perambalur. She further submitted that since the matter is at the stage of trial, the physical presence of the accused is essential, and as the petitioner failed to appear, the trial court rightly issued a Non-Bailable Warrant on 03.06.2026. Hence, she opposed to grant anticipatory bail to the petitioner.

5. I have given anxious consideration to the submissions made by the



learned counsel on either side.

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6. Considering the submissions made by the learned counsel on either side and the fact that this Court had already dispensed with the petitioner's personal appearance in a pending quash petition, the issuance of a Non-Bailable Warrant by the trial court on 03.06.2026 is purely a technical conflict. Since the investigation was completed and the charge sheet was also filed in S.C. No.24 of 2022, this Court is of the view that his further custody is not required for the purpose of interrogation. Hence, this Court is inclined to grant anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Chief Judicial Magistrate, Perambalur, Perambalur District**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) If the petitioner fails to surrender before the concerned learned 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;

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(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 trial court on all working days at 10.30 a.m., until further orders;

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

DRL

17-07-2026



To

1.The Judicial Magistrate,
Perambalur, Perambalur District.

2.The Inspector of Police
PEW, Perambalur, Perambalur District.

3.The Public Prosecutor,
High Court, Madras.

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G.K.ILANTHIRAIYAN, J.

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