



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 17330 of 2026

Vinayagam
S/o. Velu,
Nattanmai Patti,
No.368A, Ananganallore,
Gudiyatham.

..Petitioner/
Accused

Vs

State Rep.by, The Inspector of Police
PEW Police Station,
Gudiaytham.
Cr.No.91 of 2026.

..Respondent/
Complainant

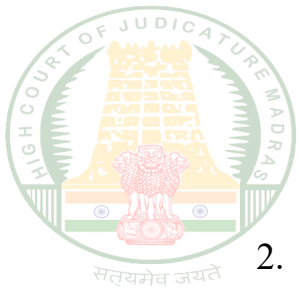
Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest in Cr.No.91 of 2026 dated 25.06.2026 on the file of the Respondent Police.

For Petitioner:
For Respondent:

MR.LOGESHWARAN FOR M/S.AISHWARYA
MS.R.S.INDIRA,
GOVT.ADVOCATE(CRL.SIDE)

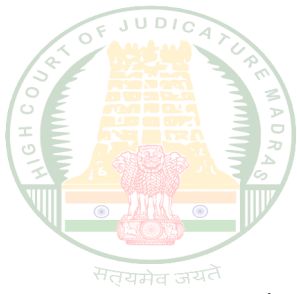
ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 4(1) (A) and 4 (1) (C) of Tamil Nadu Prohibition Amendment Act 2024 in Crime No.91 of 2026, on the file of the respondent police seeks anticipatory bail.



2. It is the case of the prosecution, as stated in the FIR, is that on 25.06.2026 at about 4 pm while the respondent police were conducting vehicle inspection near the railway bridge, a Honda Active bearing Registration No. TN 23 BD 8255 came to the spot. When the police attempted to stop the vehicle, the rider allegedly fled from the place leaving the vehicle behind. On checking the vehicle, the respondent police found 44 bottles of Old chef Rum and 22 bottles of Black Pearl Brandy, each containing 180 ml, totaling 11.88 liters of liquor. Hence, a case was registered in the above said Crime Number that the petitioner was found in illegal possession of 66 bottles of TASMAL liquor. Hence the application.

3. The learned counsel for the petitioner submitted that the petitioner was innocent and that he has been falsely implicated in this case. The learned counsel for the petitioner further submitted that the FIR came to be registered for possession of 66 bottles of TASMAL liquor against the unknown person by the respondent police and the petitioner is no way connected to the offence as alleged by the prosecution. He further submitted that he is ready to abide by any stringent condition that may be imposed by this Court and he is ready to co-operate for investigation. Hence, he prays to grant anticipatory bail to the petitioner.



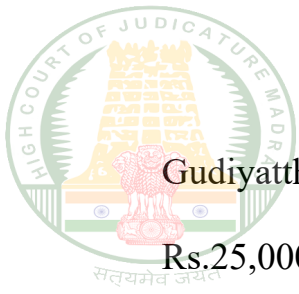
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4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, fairly submitted that the petitioner has no criminal antecedents. However, he opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. According to the petitioner, he had only taken a lift in a vehicle namely Honda Active bearing Registration No. TN 23 BD 8255 .However, the driver of the said vehicle escaped and, since the petitioner was present along with the vehicle, he was arrayed as an accused in the present case. Considering the peculiar facts and circumstances of the case, coupled with the fact that the petitioner has no criminal antecedents, the custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge him on 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 is made ready, before the learned Judicial Magistrate,



Gudiyattham, 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 learned Magistrate concerned, and on further conditions:

(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;

(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 daily at 10.30 am for a period of one week;

(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.

09-07-2026

JRS



To

1. The Judicial Magistrate, Gudiyattham.

2. The Inspector of Police
PEW Police Station,
Gudiaytham.
Cr.No.91 of 2026.

3. The Public Prosecutor,
High Court, Madras.

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C.KUMARAPPAN, J.

JRS

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