



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-07-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 19195 of 2026

Muthuraman

No 2 Thilagar street Pazhamathur Village
Madhuranthagam taluk Chengalpattu

..Petitioner(s)

Vs

The State Rep by The Inspector of Police
Prohibition Enforcement Wing,
Polur,
Thiruvannamalai District.
Crime No.878 of 2019.

..Respondent(s)

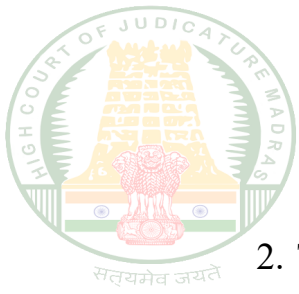
PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the Petitioner/Accused on Bail in the event of arrest by the Respondent Police in Crime no.878 of 2019 pending investigation before the respondent.

For Petitioner(s): M/S. K Karthick jothi

For Respondent(s): MR.N.PALANIVEL, GOVT.ADVOCATE
(CRL.SIDE)

ORDER

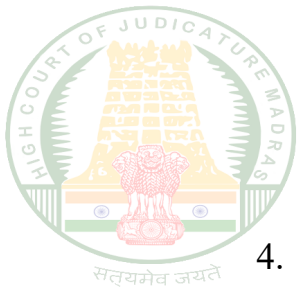
The petitioner apprehends arrest for the alleged offences under Sections 4(1) (a a a) & 4(1-A) (ii) of the Tamil Nadu Prohibition Act, 1937 read with 6 & 7 of the Tamil Nadu Rectified Spirit Rules, 2000 in Crime No.878 of 2019, on the file of the respondent police seeks anticipatory bail.



2. The prosecution case is that the petitioner was found in possession of 20000 litres of ID arrack and the same was seized by the respondent police.

Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner had already been granted anticipatory bail by this Court in Crl.O.P. No.18508 of 2021 by order dated 07.10.2021, subject to the conditions that he should surrender before the learned Judicial Magistrate, Arani, Tiruvannamalai District, within 15 days, deposit a sum of Rs.25,000/- to the Chief Educational Officer, Tiruvannamalai District, and furnish sureties. The petitioner's counsel further submitted that the petitioner has recently come to know that, instead of furnishing sureties before the territorial jurisdictional Magistrate, namely the learned Judicial Magistrate, Arani, Tiruvannamalai District, he had inadvertently furnished sureties before the learned Judicial Magistrate, Tiruvannamalai. Even assuming that the sureties were furnished before the wrong Court, the learned Judicial Magistrate, Tiruvannamalai, ought to have transmitted the bail bond papers to the territorial jurisdictional Magistrate. However, owing to the prevailing pandemic situation at the relevant point of time, the same was not done. Since the surety papers has not been forwarded, now the respondent police attempted to arrest the petitioner. Hence, he prayed for grant of anticipatory bail.



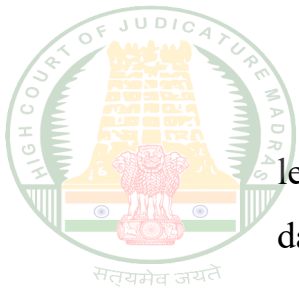
4. The learned Government Advocate (Crl. Side) appearing for the respondent police reiterated the case of the prosecution and opposed the grant of anticipatory bail to the petitioner .

5. This Court has considered the submissions made on either side.

6. Considering the fact that the petitioner had already been enlarged on anticipatory bail by this Court and had substantially complied with the conditions imposed, and the fact that the case of the year 2018, this Court is of the view that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain following 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 (15) days from the date on which the order copy is made ready, before the learned **Judicial Magistrate, Arani, Tiruvannamalai District**, on condition that the petitioner shall execute 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 Magistrate concerned, and on further conditions:

(a) If the petitioner fail to surrender before the concerned



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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;

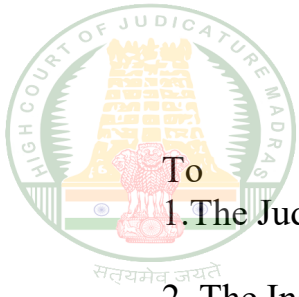
(c) The petitioner shall report before the respondent Police daily at 10.30 a.m., until further orders;

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

JRS

20-07-2026



To

1. The Judicial Magistrate, Arani, Tiruvannamalai District.

2. The Inspector of Police
Prohibition Enforcement Wing,
Polur, Thiruvannamalai District.
Crime No.878 of 2019.

3. The Public Prosecutor,
Madras High Court.



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C.KUMARAPPAN, J.

JRS

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