



WEB COPY

CRL OP No. 36088 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 36088 of 2025

Kanagaraj

..Petitioner(s)

Vs

State, represented by
The Inspector of Police
C-1, Kattur Police Station,
Coimbatore District.
(Cr.No.429 of 2025)

..Respondent(s)

Prayer: Criminal Original Petition filed u/s.482 of BNSS 2023 seeking to enlarge the petitioner on bail in the event of his arrest in respect of Crime No.429 of 2025 on the file of the respondent police.

For Petitioner(s):

Mr. Rajadurai

For Respondent(s):

Mr.S.Udaya Kumar, GA (crl.side)

ORDER

The petitioner/Accused No.1, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 4(1)(A) and 4(1)© of TNP (Amendment) Act and 24 of TNP Act in connection with the Cr.No.429 of 2025, seeks anticipatory bail.



2. The case of the prosecution is that on 25.07.2025, while the respondent police was engaged in regular patrol, the petitioner/A3 was found in illegal possession of 54 liquor bottles for the purpose of selling to public. Based on the confession of A1 and A2, the petitioner, who is the bar owner was implicated in this case. Hence a case has been registered against him.

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 further submitted that based on the confession of co-accused, the petitioner was falsely implicated in this case and no alleged contraband was recovered from him. Further, the co-accused in this case were arrested and released on bail. Hence, he prayed for granting anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would contend that while conducting search by the respondent police, A1 and A2 were found in possession of 54 illicit liquor bottles and based on the confession of A1 and A2, the petitioner who is the owner of the bar was implicated in this case. He further submit that the petitioner is having 17 previous cases and co-accused/A1 and A2 were already released on bail. Hence, he strongly opposed to grant anticipatory bail to the



petitioner.

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

6. Considering the facts and circumstances of the case, nature of the offence and the quantity of contraband involved in this case and taking note of the fact that no recovery of alleged contraband was made against him and only based on the confession statement given by A1 and A2, this petitioner was implicated in the case and further, though the petitioner was having 17 previous cases, and he was granted bail in all the cases, and all are not similar kind of offences and also the co-accused/A1 and A2 were already released on bail, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory 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 **Judicial Magistrate Court-II, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that :-



[a] the petitioner shall report before the respondent police for a period of 30 days and thereafter as and when required for interrogation.

[b] the petitioner shall not commit any offences of similar nature.

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Judicial 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 BNS.

Index:yes/no
Internet:yes/no
msr/gv

30-12-2025

Note : 1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate Court-II, Coimbatore,
2. The Inspector of Police
C-1, Kattur Police Station,
Coimbatore District.
3. The Public Prosecutor
High Court, Madras.



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P.DHANABAL J.

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