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Crl.O.P.No.1110 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2026

CORAM

THE HONOURABLE MR JUSTICE K. RAJASEKAR

CRL OP NO.1110 of 2026

Rajendran S/o.Annamalai

... Petitioner

Vs

The State Rep. By,
The Inspector of Police,
PEW-Kallakurichi Police Station,
Kallakurichi District.
(Crime No.39 of 2025)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent in Crime No.39 of 2025 on the file of the respondent police.

For Petitioner : Mr. N.Raja

For Respondent : M/s. J.R. Archana
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(C), 4(1-A)(ii) of TN Prohibition (Amendment) Act, 2024, in Crime No.39 of 2025 on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner was found with illegal possession of 6 litres of arrack and 3150 kgs of jaggery. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that this is the second anticipatory bail application and that the petitioner is innocent and has been falsely implicated in this case and has not involved in any offences as alleged by the prosecution; and that the petitioner is ready to abide by any conditions that may be imposed by this Court, hence sought for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that as per the complaint, the petitioner was found with illegal possession of 5 litres of illicit arrack and that the investigation of this case is pending and there are two previous cases as against the petitioner, which are similar in nature.

5. Considering the submissions made, facts and circumstances of this case, nature of allegation, and the earlier bail application was dismissed



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during the month of September, 2025, on the ground that the petitioner has two previous cases, similar in nature and after considering the fact that though this case was registered in the month of August 2025, the petitioner has not been arrested till today, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 Judicial Magistrate, Sankarapuram**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with two **sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] **if the petitioner fails to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of 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



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of the identity proofs to ensure their identity;

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[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

21.01.2026

ssa

To

1. The Judicial Magistrate, Sankarapuram.
2. The Inspector of Police,
PEW-Kallakurichi Police Station,
Kallakurichi District.
(Crime No.39 of 2025)
3. The Public Prosecutor,
High Court of Madras.



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K. RAJASEKAR, J.

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