



WEB COPY

CRL OP No. 2643 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 2643 of 2026

M Gopi

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
Kandhikuppam Police station,
Krishnagiri District
(Crime No. 29 of 2026)

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
his arrest in Crime. No.29 of 2026 pending Investigation on the file of the
respondent police.

For Petitioner(s): Mr.P M Jayachandran

For Respondent(s): Ms.J.R.Archana
Gouvernement Advocate (Crl.Side)



ORDER

Apprehending arrest in connection with Crime No.29 of 2026 registered for the offences punishable under Sections 4(1)(B), 4(1)(C) TNP (Amendment) Act 2024, against the petitioner, the present petition has been filed by the petitioner seeking anticipatory bail.

2. The case of the prosecution is that while the respondent police along with their team was on regular patrol, intercepted the petitioner and found that the petitioner was alleged to have been found in illegal possession of 4 1/2 liters (23 bottles) of TASMAC Brandy bottles and the same was seized by the respondent police. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner was found to be in possession of 4 1/2 liters (23 bottles) of TASMAC Brandy bottles illegally. He further submitted that the petitioner has no previous cases pending against him. Hence, he opposed for grant of anticipatory bail to



the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on either side, the fact that the petitioner has no previous case against him, and since the contraband has been seized; this Court is 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 of receipt of a copy of this order before the ***learned Judicial Magistrate No.I, Krishnagiri***, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), each 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 and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

05-02-2026

GBI

To

- 1.The State Rep By, The Inspector of Police
Kandhikuppam Police station,
Krishnagiri District
(Crime No. 29 of 2026).
- 2.The Judicial Magistrate No.I, Krishnagiri.
- 3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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