



WEB COPY

CRL OP No. 3053 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-02-2026

CORAM

THE HON'BLE MR. JUSTICE K. RAJASEKAR

CRL OP No. 3053 of 2026

Thirumoorthi @ Moorthy

..Petitioner(s)

Vs

The State Rep By, The Inspector of Police
PEW Harur Police Station,
Dharmapuri.
(Cr.No.24 of 2026).

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest at the hands of the respondent pending investigation in Cr. No.24 of 2026 on the file of the respondent police.

For Petitioner(s): Mr.Ezhil Balaji

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



ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(B) of Tamil Nadu Prohibition (Amendment) Act, 2024 in connection with the Cr. No.24 of 2026, seeks anticipatory bail.

2. The allegation against the petitioner is that on 01.02.2026, based on the secret information, the respondent police went to the place of occurrence, and found the petitioner in possession of 5 bottles of 180 ml of government liquor without any valid permission. Hence, the case the case was registered.

3. Learned counsel for the petitioner submitted that petitioner is innocent and he has been falsely implicated by the respondent police. He further submitted that petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police reiterated the prosecution's case and submitted that the 5 bottles of 180 ml of government liquor were seized from the accused and investigation in this case is still pending. Hence, she vehemently opposed for grant of anticipatory bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the nature of allegations, alleged contraband were seized from the accused and custodial interrogation of the petitioner is not necessary, I am inclined to grant anticipatory bail to the petitioner subject to the 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 made ready, before the learned **District Cum Judicial Magistrate Karimanagalam** 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] the petitioner shall report before the respondent police daily at 10.30 am., for a period two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;



[c] the petitioner shall not leave India without the previous permission of the Court;

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

09-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

JAI

To

1. The Inspector of Police
PEW Harur Police Station,
Dharmapuri.

2. The District cum Judicial Magistrate, Karimangalam.

3. The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

JAI

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