



Crl.O.P.No.3541 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2026

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.3541 of 2026

1.Indhirani

2. Susila

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
PEW Thirukoilur Police Station,
Kallakurichi District.
Crime No.05 of 2026

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of his arrest in Crime No.05 of 2026 on the file of the respondent police.

For Petitioners : Mr.V.Gunasekar

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



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ORDER

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The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)©, 4(1-A)(ii) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.05 of 2026, on the file of the respondent Police, seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner along with other accused was found in illegal possession of 2 litres of ID arrack and 90 litres of fermented wash. Hence, the case was registered.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent 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) reiterated the prosecution case and submitted that the petitioner has no previous cases. However, he opposed for grant of anticipatory bail to the petitioners.



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5. Considering the nature of allegation and the fact that the petitioner has no previous cases, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Sankarapuram**, on condition that the petitioners 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 condition that:

[a] if the petitioners fails to surrender before the concerned Magistrate within a period of ten 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 the identity proofs to ensure their identity;



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[c] the petitioners shall report before the respondent police daily at 10.30.a.m., for a period of one week 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 petitioners in accordance with law as if the aforementioned 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)13 SCC 283]**;

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

13.02.2026

sma

To

1. Judicial Magistrate, Sankarapuram.
- 2.The Inspector of Police,
PEW Thirukoilur Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
High Court of Madras.

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K.RAJASEKAR, J.

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