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CRL OP No. 3661 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3661 of 2026

N.Ishaque

..Petitioner

Vs

The State Rep. by, The Inspector of Police,
Vaniyambadi PEW Police Station,
Thirupathur District.
(Crime No.12 of 2026)

..Respondent

Criminal Original Petition filed under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita (BNSS), 2023, pleaded to enlarge the petitioner on
bail, in the event of his arrest, in Cr.No.12 of 2026 on the file of the Inspector of
Police, Vaniyambadi PEW Police Station, Thirupathur District.

For Petitioner : Mr. S. Siddharth

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections
4(1)(C) and 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in
Crime No.12 of 2026, on the file of the respondent police seeks anticipatory
bail.



2. The case of the prosecution is that based on the secret information, while the respondent police were on regular patrol duty, they found the petitioner was in possession of 48 liquor bottles, each containing 180 ml. Upon enquiry, it was revealed that the petitioner was selling the Government liquor bottles for higher price to the public. Hence, the present complaint has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police reported that the petitioner was found in illegal possession of 48 TASMAC liquor bottles, each containing 180 ml, and he was engaged in selling the said liquor bottles illegally for his own profit. He further submitted that the petitioner has no previous case, and that the investigation in the present case is still pending. Therefore, he opposed to grant anticipatory bail to the petitioner.



5. Considering the above facts and circumstances of the case, taking note of the submission made by the learned Government Advocate (Criminal Side), and also considering the nature of allegation, I am inclined to grant anticipatory bail to the petitioner, subject to 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 (15) days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Ambur**, on condition that **the petitioner 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 conditions:

(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 suretyship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **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;**



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(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner was released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

16-02-2026

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To

1. The learned Judicial Magistrate, Ambur.
2. The Inspector of Police, Vaniyambadi PEW Police Station, Thirupathur District.
3. The Public Prosecutor, High Court of Madras, Chennai.



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K.RAJASEKAR, J.

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