



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2026

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No. 3988 of 2026

Sundareshwaran

... Petitioner

Vs.

The State represented by
The Inspector of Police
Dharapuram PEW Police Station
Tiruppur District
Crime No. 48 of 2026.

... Respondent

Prayer: Criminal Original Petitions filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on bail in Cr.No.48 of 2026 on the file of respondent police.

For Petitioner : Mr.T.Shunmugarajeswaran

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.02.2026 for the offences punishable under Sections 4(1)(C) and Section 4(1)(A) of Tamil Nadu Prohibition (Amendment) Act, 2024, on the file of respondent police, seeks bail.



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2. The allegation against the petitioner is that the petitioner was found in possession of 200 litres fermented wash illegally and sold to the general public. Hence, a case has been registered and the petitioner was arrested on 01.02.2026.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case and the petitioner is in judicial custody from 01.02.2026. He further submitted that the petitioner is ready to abide any condition imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Mr.A.Gopinath, learned Government Advocate (Criminal Side) appearing for the respondent police, reiterated the prosecution case and submitted that the petitioner is having one previous case and he opposed to grant bail to the petitioner.

5. Considering the nature of allegations, and the fact that the petitioner is having one previous case, this Court is inclined to grant bail to the petitioner with certain conditions;



6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Dharapuram**, and on further conditions that:

[a] 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;

[b] that the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation.

[c] 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]**;



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

18.02.2026

MSM

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



To

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1. The Judicial Magistrate,
Dharapuram.
2. The Central Prison, Coimbatore.
3. The Public Prosecutor
High Court of Madras.
4. The Inspector of Police
Dharapuram PEW Police Station
Tiruppur District
Crime No. 48 of 2026.



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K.RAJASEKAR J.

MSM

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