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CRL OP No. 4312 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 4312 of 2026

Vishwa

..Petitioner(s)

Vs

The State Represented By
The Inspector of Police,
Pernambut Police station,
Vellore District.
Crime No.10 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation in crime no.10/2026 on the file of respondent.

For Petitioner(s): M/S.T.Muruganantham

For Respondent(s): Dr.C.E.Pratap
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on
08.01.2026 for the offences under Sections 4(1), (c), 4(1)(A), 4(1-A)(ii) of
TNP Amendment Act, 2024, in Crime No.10 of 2026, registered on the file of
the respondent police, seeks bail.



2.The case of the prosecution is that on 08.01.2026 when the respondent police was on patrol duty they found that this petitioner was in possession of 40 pouches of Bangalore Rum each containing 180 ml. Hence the case.

3.This Court has earlier dismissed the bail application of the petitioner in Crl.O.P.No.2641 of 2026, dated 05.02.2026, after considering the merits of the case on the following reasons:

“5.Considering the submissions made by the learned counsel appearing on either side; nature of offence; previous antecedents of the petitioner and taking note of the fact that the petitioner is a habitual offender, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this criminal original petition stands dismissed.”

4.The learned counsel appearing for the petitioner submitted that the petitioner has four previous cases and almost all the cases were disposed of and it is the false case registered against him. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is in judicial custody from 08.01.2026. He further submitted that the petitioner is ready to co-operate with the investigation and abide by any other stringent conditions that may be imposed by this Court . Hence, prays to grant bail.



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5. Considering the facts and circumstances of the case, taking note of the submissions made by the learned counsel for the petitioner; the period of incarceration undergone by the petitioner and the fact that the quantity involved in this case, this Court is inclined to grant bail to the petitioner subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties each**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Gudiyatham**, 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] the petitioner shall appear before the respondent police daily at 10.30 a.m., for the period of three weeks and thereafter, as and when required for investigation;

[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**



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SCC 283];

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

20-02-2026

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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

1.The The Pernambut Vellore Crime No.10 of 2026	State Inspector Police	Represented of	By Police, station, District.
2.The Judicial Magistrate, Gudiyatham.			
3.The Central Prison, Vellore			
4.The Public Prosecutor, High Court of Madras.			



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K.RAJASEKAR, J.

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