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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL O.P.No. 4108 of 2026

Venkatesan

Petitioner-A3

Vs

The State, Represented by
The Inspector of Police
PEW Vellore Police Station
Vellore District
Crime No. 55 of 2025.

...Respondent

Prayer: Criminal Original Petition filed under Section 483 of BNSS of 2023, praying to enlarge the petitioner on anticipatory bail in the event of arrest in Crime No. 55 of 2025 on the file of the respondent police.

For Petitioner : Mr.K.Prasath

For Respondent : Ms.J.R.Archana

Government Advocate, (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 4(1)(A), 4(1-A)(ii) of the Tamil Nadu Prohibition (Amendment) Act and Section 123 of BNS (Section 328 of IPC) in Crime No. 55 of 2025, on the file of the respondent Police, seeks anticipatory bail.



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2. The allegation against the petitioner is that on 12.04.2025 at 7.00 a.m., the respondent police had patrol duty at Thandayaankottao Village, Pinchaimanthai Malai, the petitioner and other accused had illegally possessed 120 litres of illicit arrack in 4 lorry tube, 10 broken glass bottles of atropine sulfate and 10 glass bottles of atropine sulfate at the backside of his house. The petitioner/A3 was absconded from the scene of occurrence. The respondent police arrested A1 and A2 and the properties were recovered from the accused. Hence the respondent police registered a case against the petitioner and others.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated based on the confession statement recorded from the arrested accused in this case. He also submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release. Hence, he prayed to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal side) appearing for the respondent police, reiterated the prosecution case and submitted that totally three accused involved in this case. The petitioner herein is arrayed as A3. The petitioner and other accused were involved in preparation of Illicit Arrack. He further submitted that the petitioner is having two previous cases both similar in nature. He further submitted that absconding charge sheet is filed. He further submitted that the investigation is pending, and he opposed to grant anticipatory bail to the petitioner.

5. Considering the gravity of offence committed by the petitioner, and though it is stated that final report is filed, the petitioner is having two previous cases both similar in nature, hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

19.02.2026

MSM



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K.RAJASEKAR, J.

MSM

To

1.The Inspector of Police
PEW Vellore Police Station
Vellore District
Crime No. 55 of 2025.

2. The Public Prosecutor,
High Court of Madras.

CRL OP No. 4108 of 2026

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