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CRL OP No. 7086 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 7086 of 2026

Sridhar

..Petitioner

Vs

The State represented by
The Inspector of Police,
Natrampalli Police Station,
Tirupathur District.
Crime No. 56 of 2026

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Crime No. 56 of 2026 pending on the file of the Inspector of Police, Natrampalli Police Station, Tirupathur District.

For Petitioner:

Mr.S.Siddharth

For Respondent:

Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.02.2026 for the alleged offences under Sections 4(1)(C), 4(1)(A), 4(1-A)(ii) of Tamil Nadu Prohibition (Amendment) Act, 2024 r/w 123 of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.56 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that on 05.02.2026, the petitioner was found in possession of 32 litres of country arrack and the same was seized by the police. Hence, the case was registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and falsely implicated. It is submitted that he is no way connected with the alleged offence. The learned counsel would further submit that the petitioner has been in incarceration since 05.02.2026 and A2 has already been released on bail. The learned counsel would further contend that the petitioner will cooperate with the investigation and will not abscond or tamper with witnesses. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner was found in possession of illicit arrack and attempted to flee. It is further submitted that A1 was detained under Goondas Act and two previous cases are pending against this petitioner. It is also submitted that investigation is in progress. Hence, he opposed to grant bail to the petitioner.

5. I have given anxious consideration to the submissions made by the learned counsel on either side.



6. Considering the submission of the learned counsel on either side, this Court is of the view that the petitioner has been in incarceration since 05.02.2026 and A2 has already been released on bail. Though there are two previous cases against the petitioner, and A1 was detained under Goondas Act, taking into consideration of the long incarceration of the petitioner since 05.02.2026 and considering the nature of allegation against him, this Court is inclined to grant bail to the petitioner, subject to certain conditions.

7. 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 for a like sum each to the satisfaction of the **learned Judicial Magistrate Court–III, Tirupathur District**, and subject to the following conditions:

[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 report before the respondent police twice a day at 10.30 a.m. and 05.30 p.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial;



[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioners released on bail by the learned Magistrate/Trial Court itself, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]***;

[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

8. It is made clear that no petition seeking relaxation of the above conditions shall be entertained within a period of sixty (60) days from the date of release of the petitioner.

18-03-2026

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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 Judicial Magistrate Court No. III, Tirupathur District.
2. Central Prison, Vellore District.
3. The Inspector of Police, Natrampalli Police Station, Tirupathur District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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