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Crl.O.P.No.6024 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2026

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.O.P.No.6024 of 2026

Rajkumar @ Kugan

... Petitioner

Vs.

State, represented by,
The Inspector of Police,
SHO, Chengalpattu PEW Police Station,
Chengalpattu District.
(Crime No.445 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of arrest pending investigation in Crime No.445 of 2024 on the file of the respondent police.

For Petitioner : Mr.M.Udayavani
For Respondent : Mr.P.Dhileepan
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence **under Sections 4(1)(A) TNP Amendment Act, 2024, 4(1) (aaa) TNP Act**, in **Crime No.445 of 2024**, on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that the petitioner was found



to be an illegal possession and transportation of 482 bottles of liquor without any valid licence. Hence, the case.

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

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that no previous bad antecedents have been registered against him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

6. Though this case involved under the Prohibition Act by transporting 482 bottles of liquor from Pondicherry to Tamil Nadu, the learned counsel for the petitioner would submit that co-accused in this case has already been enlarged on bail by the learned Principal District and Sessions Judge, Chengalpattu in Crl.MP.No.237 of 2025 dated 28.01.2025 and even the First Information Report appears to have been registered on 29.12.2024. Therefore,



at this length of time, no custodial interrogation of the petitioner is necessary.

Hence, this Court is inclined to enlarge the petitioner on anticipatory bail subject to certain conditions:

7. Accordingly, the petitioner is ordered to be released on anticipatory 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-II, Chengalpattu**, 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 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 identify proofs to ensure their identity;

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(c) **The petitioner shall sign before the respondent police twice a day at 10.30 a.m., and 5.30 p.m., for a period**



of eight weeks and thereafter, as and when required for interrogation;

(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 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.

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To:

- 1.The Judicial Magistrate-II, Chengalpattu.
- 2.The Inspector of Police, SHO, Chengalpattu PEW Police Station, Chengalpattu District.
- 3.The Public Prosecutor, High Court of Madras.

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