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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6852 of 2026

Ganesan

..Petitioner

Vs

The State represented by
The Inspector of Police
Karipatty Police Station,
Salem District. (Cr.No.43/2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in Cr.No.43 of 2025 on the file of the Kariyapatty Police Station, Salem.

For Petitioner: Mr.T.Ganesan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.02.2026 for the alleged offences under Sections 4(1)(B), 4(1)(C), 4(1-A) of the Tamil Nadu Prohibition(Amendment) Act, 2024 in Crime No.43 of 2026 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was found in possession of 190 bottles of liquor of various brands during patrol and a case was registered.



3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence and has been falsely implicated. The petitioner is in custody from 23.02.2026, he has no previous case and he is willing to cooperate with the investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner was arrested on 23.02.2026 and there is no previous case against him. However, the allegation involves possession of 190 bottles. 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. From the submission of the learned counsel on either side, this Court is of the view that though the allegation involves a larger quantity, considering the fact that the petitioner has no previous case and has been in incarceration since 23.02.2026, this Court is inclined to enlarge the petitioner on bail, 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 District Munsif-cum-Judicial Magistrate Court, Vazhapadi**, 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. for a period of 60 days and thereafter as and when required for interrogation;

[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.

17-03-2026

NSL



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 learned District Munsif Cum Judicial Magistrate, Vazhapadi.
2. Central Prison, Salem.
3. The Inspector of Police, Karipatty Police Station, Salem District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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