



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 6850 of 2026

Vasantha

..Petitioner

Vs

The State Rep by The Inspector of Police
Kondalampatti Police Station,
Salem District.
(Crime No.64 of 2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner/Accused on bail in connection with the Crime No.64 of 2026 pending investigation on the file of the respondent police.

For Petitioner: Mr.K.Hemanathan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.02.2026 for the alleged offences under Sections 4(1)(c) and 4(1-A)(i) of the Tamil Nadu Prohibition(Amendment) Act, 2024 in Crime No.64 of 2026 on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the defacto complainant, a Sub-Inspector of Police, during patrol duty, intercepted the petitioner near Periyaputhur and found her in possession of 20 bottles of liquor, some of which were found opened and it is alleged that she intended to mix Oomathakai and sell the same. Hence, 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. It is further submitted that the petitioner was arrested only based on alleged recovery and there is no independent corroboration. The petitioner has been in custody since 21.02.2026 and continued detention is not necessary. The petitioner undertakes to cooperate with investigation and abide by conditions. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that though there are nine previous cases against the petitioner, the petitioner has been in custody since 21.02.2026. It is further submitted that the investigation is almost completed. However, 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 there are nine previous cases against the petitioner, considering the period of incarceration since 21.02.2026 and also considering that no further custodial interrogation is required and investigation is almost completed, 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 Judicial Magistrate No.5, Salem**, 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 Judicial Magistrate No.5, Salem.
2. Central Prison, Salem.
3. The Inspector of Police, Kondalampatti Police Station, Salem District.
4. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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