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CRL OP No. 7017 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. 7017 of 2026

S.Ayyanar

..Petitioner(s)

Vs

The State represented by
The Inspector of Police,
Kondalampatti Police Station,
Salem District.
Crime No.73 of 2026

..Respondent(s)

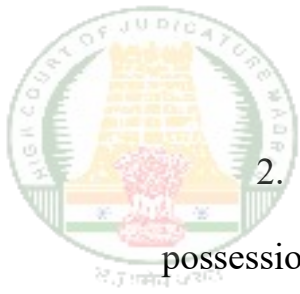
Prayer: Criminal Original Petition filed under section 483 of BNSS to enlarge the petitioner on bail in Crime No.73 of 2026, Kondalampatti Police Station, Salem District, and thus render justice.

For Petitioner(s): Mr.S.Mayilnathan

For Respondent(s): 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 offence under Sections 4(1)(C) read with 4(1)(a) and 4(1-A) of the Tamil Nadu Prohibition Act in Crime No.73 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 144 bottles of Express Brandy (each 150 ml), 6 bottles of Honeybee Brandy (each 180 ml), totalling 150 bottles. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in the present case and that he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the Petitioner.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the Respondent Police reiterated the prosecution case and submitted that there is no previous case as against the petitioner. However, he opposed the grant of bail to the Petitioner.

5. I have given my anxious consideration to either side submissions and perused the materials available on record.

6. From the submissions made by the learned counsel on either side, it is seen that there is no previous case as against the petitioner and also considering the duration of incarceration of the petitioner, this Court is of the firm view that custodial interrogation of the petitioner is not required and hence this Court is



inclined to enlarge the petitioner on bail on certain conditions.

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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 to the satisfaction of the **learned Judicial Magistrate No.5, Salem**, and on further conditions that:

[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 learned respondent police daily at 10.30 a.m. and 05.30 p.m, for a period of 30 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 pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13**



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SCC 283];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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 No.5, Salem
2. The 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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