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CRL OP No. 8607 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 8607 of 2026

S.Mani,
S/o.Seenuvasan,
Uthodaikadu,
Akkarapalayam village,
Chinnasalem Taluk,
Kallakurichi District – 606 207.

...Petitioner/A1

Vs

The State Rep. by,
The Inspector of Police,
Kachirayapalaiyam Police Station,
Kallakurichi District.
(Crime No. 16 of 2026).

..Respondent/
Complainant

Prayer: Criminal Original Petition filed under Section 482 of BNSS to enlarge the petitioner on bail in the event of his arrest by the Respondent Police in connection with Crime No.16 of 2026 pending on the file of the Inspector of Police, Kachirayapalaiyam Police Station, Kallakurichi District.

For Petitioner : Mr.S Sudhanthiran

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

ORDER

The petitioner/A1, who apprehends arrest for the alleged offences under Sections 4(1)(c) and 4(1-A)(ii) of the Tamil Nadu Prohibition (Amendment)



Act, 2024, in Crime No.16 of 2026, on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner was found in illegal possession of 3 litres of illicit arrack for the purpose of sale. Hence, the case.

3. The learned counsel for the petitioner/A1 would submit that the present case is the put-up case, as the petitioner has given a complaint against one head constable, namely, Mr.Kannan, and based on the complaint, he was also suspended and disciplinary proceedings were initiated, vide proceedings dated 02.08.2022; and that in order to wreak vengeance, the present complaint has been filed. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court and the petitioner is ready to cooperate with the 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's case and, upon instructions, submitted that four previous cases have been registered against the petitioner, and out of them, three are prohibition cases and one is a theft case. Hence, he strongly 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.

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6. The learned counsel for the petitioner/A1, would submit that this is the put-up case, as the petitioner/A1 has given a complaint against one head constable, namely, Mr.Kannan, and based on the complaint, Mr.Kannan, head constable, was also suspended and disciplinary proceedings were initiated vide proceedings dated 02.08.2022; and that in order to wreak vengeance, the present complaint has been filed.

7. Notwithstanding the above fact, the learned Government Advocate (Crl. Side) would submit that the petitioner/A1 has got four previous cases, and out of them, three are prohibition cases and one is a theft case.

8. Taking into consideration of the past history of the petitioner, this Court is of the firm view that he is in the habit of subverting the justice by misusing the liberty granted by this Court. Hence, this Court is of the firm view that the petitioner does not deserve anticipatory bail.



9. Accordingly, this Criminal Original Petition stands dismissed.

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To

1. The Judicial Magistrate No.1,
Kallakurichi.
2. The Inspector of Police,
Kachirayapalaiyam Police Station,
Kallakurichi District.
3. The Public Prosecutor,
The High Court of Madras.
Chennai – 600 104.



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C.KUMARAPPAN, J.

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