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CRL OP No. 9001 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9001 of 2026

V.Prakasam

..Petitioner(s)

Vs

State represented by
The Inspector of Police,
Papparapatty Police Station,
Dharmapuri District.
(Crime No.90 of 2026).

..Respondent(s)

Criminal Original Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to enlarge the petitioner on anticipatory bail in the event on their arrest by the Respondent Police in Crime No.90 of 2026 on the file of the Respondent police.

For Petitioner(s): Mr.J.Pradeep

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for offences punishable under Section 4(1)(c) read with Section 4(1-A) of the Tamil Nadu Prohibition Act, 1937, in Crime No. 90 of 2026, seeks anticipatory bail.



2. The case of the prosecution is that, acting on secret information, the respondent police arrived at the scene of occurrence and found the petitioner in possession of 38 bottles of liquor of different brands. The said bottles were allegedly opened and contained harmful substances mixed with liquor. Upon interrogation, the petitioner allegedly confessed that he purchased the liquor bottles in bulk from a TASMAL shop and mixed them with intoxicating substances to sell for unlawful profit.

3. The learned counsel for the petitioner submits that the petitioner is a Supervisor working in a TASMAL shop and maintains his innocence. He further contended that the petitioner has been falsely implicated in the present case and that, in any event, custodial interrogation is not required.

4. The learned Government Advocate (Criminal Side) appearing on behalf of the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner, being an employee of a TASMAL shop, took advantage of his position to sell the adulterated liquor. However, he also confirmed that the petitioner has no previous bad antecedents.

5. Considering the nature of the allegations and the fact that the petitioner has no bad antecedents, and taking note of the submission that he is the sole



breadwinner of his family and has been in service without prior complaints, and since custodial interrogation of the petitioner is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on 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 is made ready, before the learned Judicial Magistrate Court, Pennagaram, 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(s) fails to surrender before the concerned learned 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;

(c) The petitioner(s) shall report before the respondent



police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner(s) in accordance with law as if the conditions have been imposed and the petitioner(s) 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]***;

(f) If the petitioner(s) thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

09-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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- 1.The Judicial Magistrate Court, Pennagaram.
- 2.The Inspector of Police, Papparapatty Police Station, Dharmapuri District.
- 3.The Public Prosecutor, High Court of Madras, Chennai.



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C.KUMARAPPAN, J.

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