



WEB COPY

CRL OP No. 9754 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 9754 of 2026

A.Viswanathan

..Petitioner

Vs

State rep. by
The Inspector of Police Station,
PEW- Periyanaickenpalayam Police Station,
Coimbatore District.
(Crime No.74 of 2026)

..Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending trial in Cr.No.74 of 2026 on the file of the Judicial Magistrate No.5, Coimbatore.

For Petitioner: Mr.K.Govi Ganesan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.03.2026 for the alleged offences under Sections 4(1)(A), 4(1)(B) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.74 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 100 litres of toddy without permission. Hence, the case was



registered.

WEB COPY

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent person and he has been falsely implicated in this case and he has been judicial custody since 20.03.2026. The learned counsel further submitted that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that though the petitioner has got 18 previous cases, all that got disposed of and in the present case he was remanded for possession of 100 litres. 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. Considering the submission of the learned counsel on either side, this Court is of the view that though the petitioner has got 18 previous cases, all that got disposed of and in the present case he was remanded for possession of 100 litres of toddy. Taking into consideration of the above aspects and upon the fact that the major portion of the investigation could have been completed and taking into consideration of the long incarceration, this Court is inclined to grant



bail to the petitioner, subject to certain conditions.

WEB COPY

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. V, Coimbatore**, 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 daily at 10.30 a.m. for a period of one month 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]***;



WEB COPY



[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

20-04-2026

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.V, Coimbatore.
2. The Central Prison, Coimbatore.
3. The Inspector of Police Station,
PEW- Periyanaickenpalayam Police Station,
Coimbatore District.
4. The Public Prosecutor, High Court of Madras.



WEB COPY

CRL OP No. 9754 of 2



C.KUMARAPPAN, J.

NSL

CRL OP No. 9754 of 2026

20-04-2026