



WEB COPY

CRL OP No. 10427 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 10427 of 2026

P.Mahendran

..Petitioner(s)

Vs

The State by the Inspector of Police
PEW Flower Bazzar Police Station,
Chennai.
(Crime No. 30/2026)

..Respondent(s)

PRAYER; The Criminal Original Petition has been filed under Section 482 of B.N.S.S., to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Crime No.30 of 2026 on the file of the respondent.

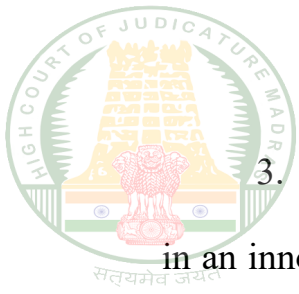
For Petitioner(s): Mr.T.Balaji

For Respondent(s): Mr.P.Dhileepan,
Govt. Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest in the hands of the respondent police for the offences punishable under Section 4(1)(A) of TNP Act, in connection with Crime No.30 of 2026, seeks anticipatory bail.

2. The case of the prosecution is that on 13.03.2026, A1 was found in illegal possession of 18 bottles of liquor each weighing 1 litre. Hence the case.



3. The learned counsel for the petitioner submitted that the petitioner in an innocent and he has been implicated based on the confession statement of A1. He further submitted that the petitioner is ready and willing to abide by any condition that may be imposed by this Court and prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that although the petitioner is not a named accused in the FIR, he was implicated based on the confession statement of A1 (Ponpandian), from whom 18 bottles of Sri Lankan-made liquor were recovered. Accordingly, he opposed the grant of anticipatory bail.

5. At this juncture, the learned counsel for the petitioner submitted that the petitioner is an Indian national who frequently travels abroad. He contended that the petitioner was not present in India on the date of the alleged occurrence. To substantiate this, he produced the petitioner's flight tickets, passport, and immigration records. The immigration records confirm that on 12.02.2026, the petitioner's departure was officially stamped by the Immigration Department at Anna International Airport, Chennai.

6. I have given anxious consideration to the submissions made by the learned counsel on either side.



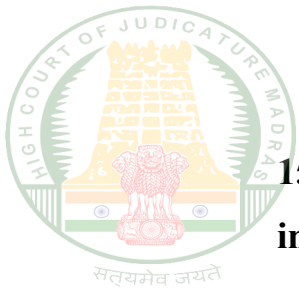
7. Considering the submissions made on either side and noting that the petitioner was implicated solely on the basis of a co-accused's confession while the evidence suggests he was outside the country at the material time, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

8. 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 Metropolitan Magistrate No.VII, George Town, Chennai**, 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 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 shall report before the respondent Police daily twice at 10.30 a.m., and 5.30 p.m., for a period of**



15 days and thereafter, as and when required for interrogation;

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

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

24-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

1.The Metropolitan Magistrate No.VII,
George Town, Chennai.

2.The Inspector of Police
PEW Flower Bazaar Police Station,
Chennai.

3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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