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CRL OP No. 10306 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. 10306 of 2026

Dhanalakshmi

..Petitioner(s)

Vs

State Rep. By The Inspector of Police,
Prohibition Enforcement Wing,
Kallakurichi Police Station,
Kallakurichi District.
Crime No.27 of 2026

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on bail in the event of arrest in crime No.27 of 2026 on the file of the Respondent.

For Petitioner(s): Mr.G.Balamanikandan

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

ORDER

The petitioner apprehends arrest for the alleged offence under Sections 14(A), 4(1)(A), 4(1)(i) of the Tamil Nadu Prohibition of Amendment Act, 2024 in Crime No.27 of 2026 on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that on 23.03.2026 the petitioner was transported 150 bottles, each contains 180 ml, of Pondicherry made liquor, without a valid license. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and based on the confession statement of A1, he has been implicated in this case. He further submitted that, except the confession statement, there is no other allegation against the petitioner. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are totally 5 accused in this case and the petitioner is arrayed as A3. The petitioner has been implicated based on the confession statement of A1. He further submitted that the accused were transporting 150 bottles, each containing 180 ml, of Pondicherry-made liquor, without a valid license. However, no recovery has been effected from this petitioner. He also submitted that the petitioner has been implicated in this case mainly on the ground that she is the owner of the vehicle, namely Maruti Suzuki Brezza and also on account of her relationship as the wife of A1. Hence, he opposed to grant anticipatory bail to the petitioner.



5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

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6. Taking into consideration the totality of the circumstances of the case and that the petitioner is a women, this Court is of the firm view, that custodial interrogation of the petitioner is not required. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her 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 No.II, Kallakurichi**, 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 at 10.30 a.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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 petitioner 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 Judicial Magistrate No.II,
Kallakurichi.
- 2.The Inspector of Police,
Prohibition Enforcement Wing,
Kallakurichi Police Station,
Kallakurichi District.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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