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CRL OP No. 11975 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 11975 of 2026

Balakrishnan
S/o.Munisamy,
No.3/11, Ambedkar Nagar,
Kandili Post,
Tirupattur Taluk and District.

..Petitioner(s)

Vs

State Rep. by The Inspector of Police,
Kandili Police Station
Tirupattur District.
(Crime.No.133/2026)

..Respondent(s)

PRAYER : Criminal Original Petition filed under Section 482 of BNSS, 2023, to enlarge the petitioner on bail in the event of his arrest in Crime.No.133/2026 pending investigation on the file of the respondent.

For Petitioner(s): Ms.R.Thulasi

For Respondent(s): Ms.R.S.Indira,
Government Advocate (Crl.Side)



ORDER

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The petitioner apprehends arrest for the alleged offence under Sections 4(1)(A) and 4(1) (C) Tamilnadu Prohibition (Amendment) Act 2024 in Crime No.133 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that when the respondent police were in regular patrol duty, they found that the petitioner was found in possession of 114 bottles of various types of liquor. Hence, the case.

3. The learned counsel for the Petitioner would submit that an FIR came to registered against him for possession of 114 bottles of liquor. The learned counsel would invite the attention of this Court about the medical condition of the petitioner that the petitioner is suffering from a cancer. In support of his contentions, he has produced the petitioner's discharge summary of Cancer Institute, Adayar. He further submits that the petitioner is willing to deposit any amount without prejudice to his claim Hence, he seeks anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner reiterated the prosecution case and submitted that the investigation of this case is pending. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Though this Court is taking serious view against the prohibition offences, as it will affect the society, while perusing the Discharge Summary of the Petitioner, the petitioner has taken treatment since 2023 for Synchronous Carcinoma Transverse and Sigmoid Colong (MSI +) .

6. Considering the above medical condition, this Court shows some lineancy towards the petitioner, and this Court is inclined to grant anticipatory bail to the petitioner with 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 days from the date on which the order copy made ready, before the **learned Judicial Magistrate -II, Thirupathur** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each** for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:



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[a] if the petitioner fail to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of 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 the identity proofs to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[d] the petitioner is directed to deposit a sum of Rs.15,000/-(Rupees Ten Thousand only)(Non refundable) towards the account of CANCER INSTITUTE (WIA), Adayar, Savings Bank Account maintained at Union Bank of India, Madhya Kailash Branch, Cancer Institute(WIA), Dr.S.Krishnamurthi Campus, Sardar Patel Road, Chennai-36, bearing SB Account No.149710011005477, IFSC Code No.UBIN0814971, Branch Name and Code 814971, MICR No.600026110 and to produce the Bank Challan before the concerned Magistrate and the receipt shall be produced at the time of executing the bond;



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[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

02-06-2026

VV

To

1. The Judicial Magistrate-II, Thirupathur
2. The Inspector of Police,
Kandili Police Station
Tirupattur District.
3. The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

VV

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