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Crl.O.P.No.12066 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP NO.12066 of 2026

Mathesh

... Petitioner/ Accused

Vs

The State rep. by,
The Inspector of Police,
PEW- Attur Police Station,
Salem District.
(Crime No.67 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to grant anticipatory bail to the petitioner/accused in Crime No.67 of 2026 on the file of the respondent police.

For Petitioner(s) : Mr. T. Ganesan

For Respondent(s) : Mr. S. Balaji
Government Advocate (Crl. Side)

ORDER



The petitioner apprehends arrest for the alleged offences punishable under Sections 4(1)(C) and 4(1-A)(ii) of Tamil Nadu Prohibition Act in Crime No.67 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.04.2026, while the respondent police were on their routine patrol duty, they saw a person ran away on seeing them leaving behind a can; that the said can contained 4 liters of ID Arrack; and that upon investigation, it is found that the petitioner was involved in the said offence. Hence, this case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and to abide by any conditions that may be imposed by this Hon'ble Court and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police while opposing the anticipatory bail to the petitioner, reiterated the prosecution case and submitted that the petitioner



has no previous antecedents.

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5. Considering the rival submissions made on both sides, the nature of offence, the quantity involved in this case and the fact that the petitioner has no previous antecedents, 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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.1, Attur** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

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

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous



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permission of the Court;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.2023.

13.05.2026

stn

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

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order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate No.1, Attur.
2. The Inspector of Police,
PEW- Attur Police Station,
Salem District.
(Crime No.67 of 2026)
3. The Public Prosecutor,
High Court of Madras.

P. DHANABAL, J.

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