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CRL OP No. 12319 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12319 of 2026

Alagu @ Alagar

..Petitioner(s)

Vs

State Rep.by, The Inspector of Police,
B-3, Variety Hall Police Station,
Coimbatore District.
Crime No.28 of 2026.

..Respondent(s)

Prayer: Criminal Original Petition filed under Section 482 of B.N.S.S., pleaded to enlarge the petitioner on bail in the event of his arrest in Crime No.28 of 2026 pending investigation on the file the respondent police.

For Petitioner(s): Mr.M N Balakrishnan

For Respondent(s): Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 4(1) (A), 4(1) (C) of TNP (Amendment) Act r/w 24 of TNP Act in Crime No.28 of 2026, on the file of the respondent police seeks anticipatory bail.



2. The case of the prosecution is that when the respondent police was on regular patrol was found that the petitioner, along with others, were in illegal possession of IMFL liquor against the Liquor Rules and seized 148 liquor bottles of various brands. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner has already got anticipatory bail in Crime No.9 of 2026 and that when he approached the police to comply the condition, again the respondent registered this present crime number against the petitioner and that this is a put-up case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution's case and, would strongly oppose the grant of anticipatory bail to the petitioner on the sole ground that the petitioner has got 3 previous cases. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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6. Considering the rival submissions and the nature of the offence and the quantity involved also considering that the petitioner has 3 previous cases, in all the cases, he has been released on bail and also considering all other factors, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest, on his executing 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 Judicial Magistrate Court.IV, Coimbatore, and on further conditions that:-

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

[b] the petitioner shall not commit any offences of similar nature.

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



[e] On breach of any of the aforesaid conditions, the learned Judicial 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 BNS.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SSR

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. Judicial Magistrate Court. IV, Coimbatore.

2. The Inspector of Police,
B-3, Variety Hall Police Station,
Coimbatore District.
Crime No. 28 of 2026.

3. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

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