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CRL OP No. 12463 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL OP No. 12463 of 2026

Sankar

..Petitioner(s)

Vs

State rep. by
Inspector of police,
Katpadi police station,
Vellore District.
Tamil Nadu.
(crime no 59/2026)

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of BNSS, 2023, praying to enlarge the petitioner on bail in the event of his arrest in connection with crime No 59/2026 on the file of the Respondent and thus render justice.

For Petitioner(s):

Mr.G. Nirmal Krishnan

For Respondent(s):

Mr.S.Balaji
Government Advocate (Crl. Side)

ORDER

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 4(1)(A) and 4(1)(C) of the Tamil Nadu Prohibition (Amendment) Act, 2024, in connection with Cr. No. 59 of 2026, seeks anticipatory bail.



2.The case of the prosecution is that on 13.03.2026 at about 11.00 p.m., the respondent police conducted a prohibition raid at the Katpadi Agraharam area. During the raid, the petitioner was allegedly found in illegal possession of 31 bottles of Government liquor (180 ml each), including 16 bottles of Monitor Gold Rum, 5 bottles of Old Chef Strong, 5 bottles of Mens Club Brandy, and 5 bottles of Vorion Classic Rum. Hence, the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent and has been falsely implicated in this case by the respondent police. He submits that the petitioner had no custody or possession of the alleged liquor bottles. He further submits that the petitioner's earlier anticipatory bail application in Cr.M.P. No. 1640/2026 was dismissed by the learned Principal Sessions Judge, Vellore District, on 29.04.2026. This is the first application before this Court, there are no previous cases of similar nature pending against the petitioner, and the petitioner is ready to abide by any stringent conditions imposed by this Court. Hence, he prays for the grant of anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police opposed the grant of anticipatory bail, stating that the petitioner was found in possession of commercial Government liquor bottles without authorization. He confirms that the petitioner's previous application was dismissed by the Sessions Court, but notes that no other previous adverse



antecedents or cases are recorded against the petitioner. Hence, he opposed to grant anticipatory bail to the Petitioner.

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

6. Considering the rival submissions on either side, the nature of the offences, the quantity of the liquor seized, and the fact that there are no previous cases of a similar nature pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. 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, Katpadi, Vellore District 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 daily at 10.30 a.m. for a period of 30 days, and thereafter as and when required for investigation.

[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 him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous 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 abscond, a fresh FIR can be registered under Section 269 B.N.S. 2023

13-05-2026

SHA/MKA

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.The Judicial Magistrate, Katpadi,
Vellore District.

2.The Inspector of Police,
Katpadi police station,
Vellore District.
Tamil Nadu.

3.The Public Prosecutor,
Madras High Court,
Chennai.

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P.DHANABAL, J.

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