



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.05.2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL.O.P.No.12475 of 2026

1. Velankanni

2. Yasodha

..Petitioners

Vs

State Rep. by The Inspector of Police
Prohibition Enforcement Wing,
Gudiyatham,
Vellore District.
(Crime.No. 40 of 2026)

..Respondent

PRAYER: - The Criminal Original Petition is filed under Section 482 of B.N.S.S., Act, to enlarge the petitioners on Anticipatory Bail in the event of their arrest pending investigation in Crime No. 40 of 2026 on the file of the respondent and thus render Justice.

For Petitioners : Mr.T.Muruganantham

For Respondent : Mr.S.Balaji,
Government Advocate.

ORDER

The petitioners herein apprehending arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(A), 4(1)(C) of TNP Act, in Crime No.40 of 2026 on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the respondent police formed a special team to conduct a raid. Upon noticing the arrival of the police party, the first petitioner fled from the spot, leaving behind 18 plastic bags containing various brands of liquor, totaling 1,361 bottles. It is further alleged that the petitioners intended to illicitly hoard and sell the said liquor at an excessive rate during the 3-day closure of TASMAC shops on account of the Assembly Elections. Hence the case.

3. The learned counsel for the petitioner submitted that the respondent police have registered a false case against the petitioners. He further submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that although there are no adverse previous cases pending against the petitioners, the co-accused has been arrested and subsequently released on bail. Pointing out the gravity of the offense, he vehemently opposed the grant of anticipatory bail to the petitioners.

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



6. Considering the rival submissions made on either side and the nature of the offenses alleged, and further taking note of the facts that there are no adverse previous cases pending against the petitioners, the co-accused has already been granted bail, and the contraband liquor bottles have already been recovered by the respondent police, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate, Gudiyatham** on condition that the petitioners 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 petitioners shall report before the respondent police daily at 10:00 a.m. for a period of thirty (30) days, and thereafter as and when required for interrogation;

[b] the petitioners 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 them from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;



[d] the petitioners 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 petitioners in accordance with law as if the 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)AIR SCW 5560].

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

14-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

kmm



To

1. The Inspector of Police
Prohibition Enforcement Wing,
Gudiyatham,
Vellore District.

2. The Judicial Magistrate No.2, Attur.

3. The Public Prosecutor,
High Court, Madras.



WEB COPY



P.DHANABAL, J.

kmm

CRL.O.P.No.12475 of 2026

14.05.2026