



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2026

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THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13197 of 2026

Ramesh
S/o Arumugam
2/534-2, Alamarathu Kadu,
Erumapalayam, Salem – 636 015.

..Petitioner(s)/Accused

Vs

State Represented by
The Inspector of Police
Kitchipalayam Police Station,
Salem District.
(Crime No.118 of 2026)

..Respondent(s)/
Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, pleased to enlarge the petitioner on bail, in the event of his arrest, in Crime No.118 of 2026 on the file of the Inspector of Police, Kitchipalayam Police Station, Salem District and thus render justice.

For Petitioner(s):	Mr.B.Vasudevan
For Respondent(s):	Mr.S.Balaji Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed by the petitioner under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.



2.The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 4 (1) (aaa) and 4 (1) (i) of the Tamil Nadu Prohibition Act, 1937, in Crime No.118 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that on 21.04.2026 at about 10.00 a.m., the respondent Police received secret information and conducted a search in petitioner's house, where the petitioner was found in illegal possession of 1832 bottles of liquor. Hence, the case was registered.

4. Mr.B.Vasudevan, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case. He however submits that the petitioner is ready to abide by any conditions to be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.S.Balaji, the learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that the petitioner was found in possession of 1832 bottles of liquor. He further submits that there are sixteen previous cases against the petitioner. He further submits that if pre-arrest bail is



granted to the petitioner, he will abscond and tamper with the evidence. He therefore prays to dismiss this Criminal Original Petition.

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6. Heard on both sides. This Court has perused the records.

7. Considering the facts and circumstances of the case and also considering the fact that the petitioner's voluntary deposit of Rs.1,00,000/- to the Government Mohan Kumaramangalam Medical College Hospital, Salem, and with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.2, Salem District, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) along with two sureties each for a like sum of Rs.1,00,000/- (Rupees One Lakh only) to the satisfaction of the learned Judicial Magistrate No.2, Salem District.

(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity.



(iii) The petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of the Government Mohan Kumaramangalam Medical College Hospital, Salem, within a period of fifteen days from today, without prejudice to his rights and contentions before the Trial Court. Only upon deposit, the learned Magistrate shall accept the sureties.

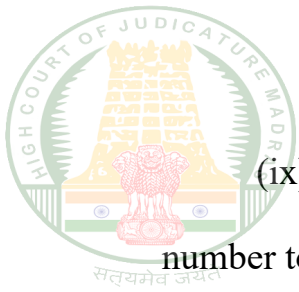
(iv) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m. until further orders.

(v) The petitioner shall make himself available for interrogation by a police officer as and when required.

(vi) 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.

(vii) The petitioner shall also not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence.

(viii) The petitioner shall not leave India without the previous permission of the Court.



(ix) The petitioner shall furnish his residential address and mobile number to the concerned Magistrate.

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(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon'ble Supreme Court in *P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283]*.

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

21-05-2026

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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order, when uploaded on the official website of this Court, will be watermarked and will also have a QR code.



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R.SAKTHIVEL, J.

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To

1.The Judicial Magistrate No.2, Salem District.

2.The Inspector of Police
Kitchipalayam Police Station,
Salem District.

3.The Public Prosecutor
High Court of Madras.

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