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CRL OP No. 13090 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. 13090 of 2026

Mani

..Petitioner(s)

Vs

The State rep by, The Inspector of Police
Kachirayapalaiyam Police Station,
Kallakurichi District.
(Crime No. 16 of 2026).

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 482 of BNSS to order enlarge the petitioner on bail in the event of his arrest in Crime No. 16 of 2026 pending investigation on the file of the Respondent.

For Petitioner(s): M/s.K.Karuppaiya Mooppanar

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), 4(1-A)(ii) of Tamil Nadu Prohibition (Amendment) Act 2024 in Crime No.16 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 3 litres of illicit arrack for the purpose of sale. Hence, the 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 reiterating the prosecution case, strongly opposed the grant of anticipatory bail and submitted that the co-accused in this case was granted anticipatory bail by this Court and four previous cases are pending against the petitioner and if he is enlarged on anticipatory bail, he may abscond and commit similar offences in future as well.

5. Considering the rival submissions, the nature of the offence, the co-accused was already granted anticipatory bail by this Court and the quantity of contraband involved in this case and though petitioner has some previous cases, he was granted bail in those cases, this Court is inclined to grant anticipatory bail to the petitioner subject to 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 **No.I Judicial Magistrate, Kallakurichi** 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 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.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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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 Inspector of Police
Kachirayapalaiyam Police Station,
Kallakurichi District.
2. The No.I Judicial Magistrate, Kallakurichi
3. The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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