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CRL OP No. 13428 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.O.P. No. 13428 of 2026

Kowsalya
W/o. Chandiran,
1st Street, Conamedu,
Vaniyambadi Taluk,
Tirupathur District.

..Petitioner/Accused No.2

Vs

State rep by
The Inspector of Police
Vaniyambadi Town Police Station,
Vaniyambadi, Tirupathur District.
(Crime No.164 of 2026)

..Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant pre-arrest bail to the petitioner in Crime No.164 of 2026 on the file of the respondent police.

For Petitioner	:	Mr.N.Mohamed Imran Khan
For Respondent	:	Mr.S.Yogaraja Sekar Counsel for Government of Tamil Nadu (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner on 19.05.2026 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

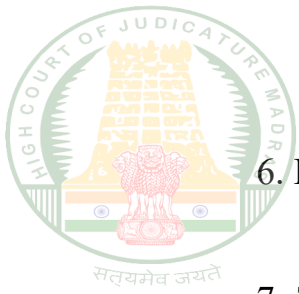


2. The petitioner apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 4(1)(A) and 4(1)(C) of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.164 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that on 09.05.2026, when the police were on patrolling, based on the secret tip, they found that the petitioner along with her husband/first accused was in illegal possession of 84 bottles of TASMAC liquor. Hence, the case.

4. Mr.Mohamed Imran Khan, the learned counsel for the petitioner, submits that the petitioner is an innocent person, she has not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioner. He however submits that the petitioner is ready to abide by any conditions that may be imposed by this Court. Accordingly, he prays to grant an order of pre-arrest bail to the petitioner.

5. *Per contra*, Mr.S.Yogaraja Sekar, the learned Counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent-police reiterates the prosecution case. Accordingly, he prays to dismiss this Criminal Original Petition.



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

7. The petitioner has permanent residence and deep roots in the society.

Hence, there is less possibility of absconding. Considering the same and also taking note of the fact that there are no previous cases against the petitioner and with a view to give an opportunity to the petitioner to reform herself, 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 her arrest or in the event of her surrender before the learned Judicial Magistrate, Vaniyambadi, 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.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate, Vaniyambadi.

(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 shall appear and sign before the respondent-police weekly twice i.e., on every Monday, and Friday at 10.00 a.m. until further orders.



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

(v) 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 them from disclosing such facts to the Court or to any police officer.

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

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

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

(ix) 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*.

dk/srm

22-05-2026



Note:-

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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 official website of this Court will be watermarked and will also have a QR code.

To

1. The Judicial Magistrate,
Vaniyambadi.
2. The Inspector of Police
Vaniyambadi Town Police Station,
Vaniyambadi, Tirupathur District.
3. The Public Prosecutor,
High Court of Madras.



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R.SAKTHIVEL, J.

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