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CRL OP No.13461 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22-05-2026

CORAM

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL OP No. 13461 of 2026

Prabhakaran

...Petitioner/Accused No.3

Vs

The State Rep. by
The Station House Officer,
P.E.Wing
Cuddalore PS.
(Crime No.478 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.478 of 2026 on the file of the respondent police.

For Petitioner :

Mr.Vignesh Masilamani

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.

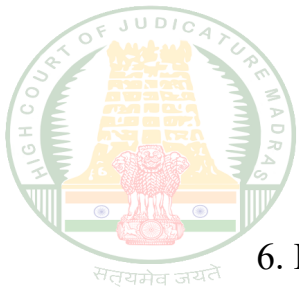


2. The petitioner/Accused-3, apprehends arrest at the hands of the respondent-police for the offences punishable under Sections 4(1)(C), 4(1)(A) and 14(A) of Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.478 of 2026 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner, along with other accused, was involved in selling 132 bottles of liquor. Hence, the case.

4. Mr.Vignesh Masilamani, 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 a false case has been foisted against the petitioner. 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.Yogaraja Sekar, learned Counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent-police, submits that the petitioner along with other accused was involved in selling 132 bottles of liquor. He further submits that there are no previous cases against the petitioner. However, he prays to dismiss this Criminal Original Petition.



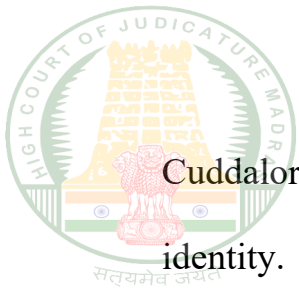
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6. Heard both sides. This Court has perused the records.

7. Considering the fact that the petitioner is a first time offender and he has no previous case, this Court is of the view that the custodial interrogation of the petitioner is not necessary. The petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding. Considering the same and 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 himself, this Court is inclined to grant an order of pre-arrest bail 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.I, Cuddalore, 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) 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 No.I, Cuddalore.

(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 No.I,



Cuddalore shall obtain a copy of any one of identity proofs to ensure their identity.

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

(iv) The petitioner shall make himself 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 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 his residential address and mobile number to the concerned Magistrate.



(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate – I, Cuddalore 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*.

22-05-2026

dk/srm

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

To

1. The Judicial Magistrate No.I,
Cuddalore.
2. DO THROUGH:
The Chief Judicial Magistrate, Cuddalore.
3. The Station House Officer,
P.E.Wing, Cuddalore PS.
4. The Public Prosecutor,
High Court of Madras, Chennai – 600 104.



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R.SAKTHIVEL, J.

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