



Crl.O.P.No.13586 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.05.2026

CORAM

THE HON'BLE MR. JUSTICE R.SAKTHIVEL

Crl.O.P.No.13586 of 2026

Thangadurai
S/o. Pazhanisami,
Kottamettupatti,
Omalur Taluk,
Salem District.

... Petitioner/Accused

Vs.

The Inspector of Police,
Omalur Police Station,
Salem District.
(Crime No.259 of 2026)

...Respondent/Complainant

PRAYER: The Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to order the petitioner to be enlarged on pre-arrest bail in the event of his arrest in Crime No.259 of 2026 on the file of the Inspector of Police, Omalur Police Station, Salem District.

For Petitioners : Mr.R.Prabudoss
For Respondent : Mr.C.R.Malarvannan
Government Advocate (Criminal Side)

ORDER

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



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2. The petitioner apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 4 (1) B of Tamil Nadu Prohibition (Amendment) Act, 2024 in Crime No.259 of 2026 on the file of the respondent police.

3. The case of the prosecution is that the petitioner allegedly allowed persons to drink alcohol in his Dhaba without a valid license. Hence, the complaint.

4. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there is no previous case is pending as against the petitioner. However, he prayed to dismiss this Criminal Original Petition.



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6. Heard both sides.

7. Considering the above facts and circumstances of the case, the nature of the offence alleged to have committed by the petitioner and there is no previous case is pending as against the petitioner, 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 bail in the event of his arrest or in the event of his surrender before the learned **Judicial Magistrate, Omalur, Salem District** within a period of 15 days from the date of receipt of a copy of this order, 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/- to the satisfaction of the learned **Judicial Magistrate, Omalur, 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, Omalur, Salem District 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, weekly once ie., Monday at 10.00 a.m until further orders;**

(iv) The petitioner shall make himself available for interrogation by police 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) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Omalur, Salem District/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala** [(2005) 13 SCC 283].



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

22.05.2026

Index : Yes/No

Internet : Yes/No

dh/rsi

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,
Omalur, Salem District.

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

3.The Public Prosecutor,
High Court of Madras.

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R.SAKTHIVEL. J.

dh

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22.05.2026