



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2026

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CrI.O.P.No.13927 of 2026

S.Elumalai

...Petitioner

Vs.

State rep. by,
The Inspector of Police,
Ulundurpet PEW Police Station,
Kallakurichi District.
(Crime No.33 of 2026)

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of BNSS, seeking to grant Anticipatory Bail to the petitioner in the event of his arrest in Crime No.33 of 2026 on the file of the respondent police.

For Petitioner : Mr.R.Suryaprakash

For Respondent : Mr.S.Yogaraja Sekar,
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 4(1-i) & 4(1-A) of Tamil Nadu Prohibition Act in Crime No.33 of 2026 on the file of the respondent Police, seeks anticipatory bail.



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2. The learned counsel for the petitioner, pleading innocence on the part of the petitioner and false implication in the case, seeks indulgence of this Court. He submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that even presuming without admitting that the petitioner was in illegal possession of quarter bottles, the same is only of a permissible limit and that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Therefore he prayed to grant anticipatory bail to the petitioner.

3. The case of the prosecution as put forth by the learned Government Advocate (CrI. Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner was found in illegal possession of 15 quarter bottles in a bag and when he saw the police officials, he threw the same and fled from the scene of occurrence.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (CrI.side) for the respondent Police and perused the materials available on record and also considering the fact that the quantity of liquor is within the permissible limit, this Court is inclined to



grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate No.1, Ulundurpet** on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] **the petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders;**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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



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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];

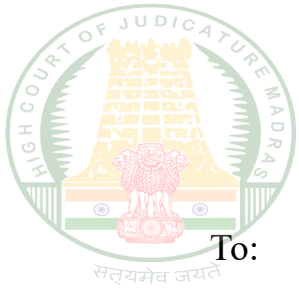
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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



To:

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1. The Judicial Magistrate No.1,
Ulundurpet.
2. The Inspector of Police,
Ulundurpet PEW Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court, Madras.

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MOHAMMED SHAFFIQ, J.

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