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CRL OP No. 14449 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 14449 of 2026

Rex

..Petitioner

Vs

The State Represented by,
Inspector of Police,
Bagayam Police Station,
Vellore District.
[Crime no.136 of 2026]

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Crime No.136 of 2026 on the file of respondent police.

For Petitioner:

Mr.M.R.Thangavel

For Respondent:

Ms.R.S.Indira

Government Advocate (Criminal Side)

ORDER

The petitioner apprehends arrest for the alleged offence under Section 4(1)(A), 4(1)(C) of TN Prohibition (Amendment) Act, 2024, in Crime No.136 of 2026 on the file of the respondent police seeks anticipatory bail.



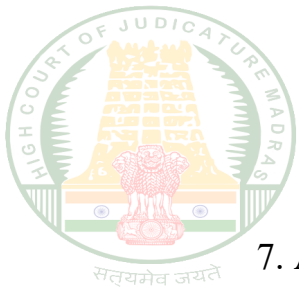
2. The case of the prosecution is that the petitioner was found in illegal possession of 40 bottles of 'Old Chef Run' each containing 180 ml. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and submitted that there are no adverse antecedents against the petitioner. However, she opposed to grant anticipatory bail to the petitioner.

5. I have given my anxious consideration to the submissions made by the learned counsel on either side and perused the materials available on record.

6. Considering the submissions of the learned Government Advocate (Crl. Side) that there are no adverse antecedents against the petitioner and taking note of the fact that the quantity of contraband seized is only 40 bottles, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.1, Vellore** on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties each, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:**

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

(c) **The petitioner/accused is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) as non-refundable deposit in favour of the Dean, Rajiv Gandhi Government General Hospital, Chennai;**

(d) **The petitioner shall report before the respondent Police, daily at 10.30 a.m. until further orders;**



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(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(f) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

09-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VEDA

To

1. Judicial Magistrate No.1, Vellore.

2. Inspector of Police,
Bagayam Police Station,
Vellore District.

3. The Public Prosecutor,
Madras High Court.

4. The Dean,
Rajiv Gandhi Government General Hospital, Chennai.



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C.KUMARAPPAN, J.

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