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Crl.O.P.No.15356 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.15356 of 2026

Devarajan

... Petitioner(s)

Vs.

The State rep. by
The Inspector of Police,
Gangavalli Police Station,
Salem.
Crime No.162 of 2026

... Respondent(s)

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, 2023, to enlarge the petitioner on bail concerned in Crime No.162 of 2026 pending on the file of the respondent police.

For Petitioner(s) : Mr.H.Eshwar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 20.05.2026 for the alleged offences under Sections 4(1)(C) and 4(1-A)(ii) of the Tamil Nadu Prohibition Act, in Crime No.162 of 2026 on the file of the respondent police, seek bail.



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2. It is the case of the prosecution that the petitioner was found in possession of 18 brandy bottles (180 ml each). Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in this case. He would further submit that the petitioner has been under custody since 20.05.2026 and that, in any event, his further custody is not required for the purpose of investigation. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail, reiterated the prosecution case and, on instructions, submitted that there are six previous cases against the petitioner and that he has been granted bail in all those cases and that the investigation has already been completed.

5. Considering the nature of the allegations, the period of incarceration, the fact that the petitioner has been granted bail in the other cases, and also considering the fact that the investigation has already been completed, this Court is inclined to grant bail to the petitioner, subject to certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail on their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Aathur, and subject to the following conditions:

[a] 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 the identity proofs to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation;

[c] the petitioner shall not abscond either during investigation or trial;

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

[e] on breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions had been imposed and the petitioner released on bail by the learned Magistrate/Trial Court itself, 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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[f] if the petitioner thereafter abscond, a fresh FIR may be registered under Section 269 of the Bharatiya Nyaya Sanhita, 2023.

18.06.2026

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



To

1. The learned Judicial Magistrate-II, Aathur,

2. The Superintendent, Salem Prison

3. The Inspector of Police, Gangavalli Police Station, Salem.

4. The Public Prosecutor, High Court of Madras



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C.KUMARAPPAN,J.

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