



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-06-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL OP No. 15179 of 2026

Gurubalan S/o. Chinnakulantha,
No.110, 2nd Streetm Puthur,
Kottur, Gudiyattam, Vellore
Pin-635808.

..Petitioner(s)

Vs

State represented by:

The Inspector of Police
PEW Police Station,
Gudiyattam, Vellore District.
Crime No.38/2026

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the event of
his arrest pending investigation in Crime No.38 of 2026 on the file of the
Respondent.

For Petitioner(s):	M/S. K. Rajasekaran
For Respondent(s):	Ms.R.S.Indira Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest for the alleged offences under
Sections 4(1)(A) and 4(1)(C) of Tamil Nadu Prohibition Act, 2024 in Crime
No.38 of 2026, on the file of the respondent police seeks anticipatory bail.



2. The *case of the prosecution* is that on 14.04.2026, the petitioner was found in possession of 30 bottles containing 7.5 litres of liquor. Hence the case.

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3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has nothing to do with the commission of offence as alleged by the prosecution. The learned counsel would further submit that the petitioner is a senior citizen having health issues and he is ready and willing to abide by any condition that may be imposed by this Court. Hence, considering the health condition, he prays to grant anticipatory bail to the petitioner.

4. At this juncture, the learned Government Advocate (Crl.Side) appearing for the respondent police objected to grant anticipatory bail to the petitioner, however, he would fairly submit that the petitioner has no previous cases.

5. Heard the submissions made by the learned counsel on either side and perused the materials available on record.

6. This is a case arisen out of Prohibition Act and this petitioner could not be arrested by the respondent police due to his health condition. Taking into consideration of the health condition of the petitioner and upon further fact that this petitioner has no criminal antecedents, this Court is inclined to enlarge the petitioner on anticipatory bail, subject to certain conditions:



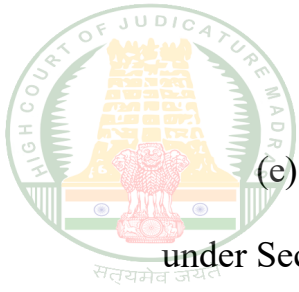
7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of **fifteen (15) days** from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Gudiyatham** on condition that the petitioner 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 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 shall sign before the respondent police as and when required by the investigation officer for interrogation;**

(d) 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];



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

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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 Judicial Magistrate, Gudiyatham.
2. The Inspector of Police, PEW Police Station, Gudiyattam, Vellore District.
3. The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN, J.

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