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Crl.O.P.No.16067 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2026

CORAM

THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.16067 of 2026

1.Kamaraj
2.Rajesh

... Petitioners

Vs.

The State of Tamil Nadu
Rep. by The Inspector of Police,
Mailam Police Station,
Villupuram.
(Crime No.0231 of 2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.0231 of 2026 pending investigation on the file of the respondent police.

For Petitioners : Mr.D.Christopher

For Respondent : Mrs.R.S.Indira.
Government Advocate (Crl.Side)



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ORDER

The petitioners apprehend arrest for the alleged offences under Sections 4(1)(a) r/w 4(1)(C), 4(1)(i) r/w 4(1)(A), 14(A) of TNP (Amendment) Act, 2024, in Crime No.0231 of 2026 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused were found in illegal possession of 18 bottles of liquor. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and have not committed any offence as alleged by the prosecution. He further submitted that the liquor was purchased for a party pursuant to the engagement function of one Sanjai (A2). He also submitted that the prime accused (A2) has already been released on bail by the learned Judicial Magistrate No.II, Tindivanam, in Crl.M.P.No.243 of 2026 dated 02.06.2026. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the anticipatory bail application and submitted that the first petitioner has one previous case, whereas the second petitioner has no previous case.

5. Taking into consideration of the totality of the circumstances, including the fact that A2 has already been released on bail and that the second petitioner has no previous case and that the occurrence took place on 27.05.2026, this Court is of the firm view that, at this length of time, further custodial interrogation of the petitioners is not required. Hence, this Court is inclined to enlarge the petitioners on anticipatory bail, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court No.II, Tindivanam**, on condition that the **petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties** each for a like sum to



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the satisfaction of the learned Magistrate concerned, and on further

conditions:

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(a) If the petitioners 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 petitioners/accused are directed to make a non-refundable deposit of Rs.20,000/- (Rupees Twenty Thousand only) each to the credit of the Dean, Rajiv Gandhi Government General Hospital, Chennai, without prejudice to the right of the defence before the Trial Court and the receipt shall be produced at the time of executing the bond;

(d) The petitioners shall report before the respondent police daily at 10.30 a.m. for a period of 30 days, and thereafter, as and when required for interrogation;



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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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

29.06.2026

cda

To

- 1.The Judicial Magistrate Court No.II, Tindivanam.
- 2.The Inspector of Police,
Mailam Police Station,
Villupuram.
- 3.The Public Prosecutor,
High Court of Madras.



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C.KUMARAPPAN, J.

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