



CRL OP(MD). No.5178 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.03.2026

PRESENT

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

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Surendar

... Petitioner / Sole Accused

Versus

The State of Tamilnadu,
Rep by the Inspector of Police,
Vaiyampatty Police Station,
Trichy District.
(Crime No.46 of 2026)

... Respondent / Complainant

PRAYER :-Criminal Original Petition filed under Section 482 of the BNSS, 2023, to enlarge the petitioner on bail in the event of arrest in Crime No.46 of 2026 on the file of the respondent police or on his appearance.

For Petitioner : Mr.K.Arunraj

For Respondent : Mr.P.Kottai Chamy,
Government Advocate
(Criminal Side)



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ORDER : The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police in Crime No.46 of 2026 for the offences punishable under Sections 4(1)(C) and 4(1)(A) of the Tamil Nadu Prohibition (Amendment) Act, 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 01.02.2026 at about 07.30 a.m., the respondent police were conducting a routine check near the backside of the Othakkadai TASMACH shop. At that time, the petitioner was found in illegal possession of number of liquor bottles without any valid licence. Hence, the respondent police registered a case against the accused person for the aforesaid offences.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the respondent police have falsely foisted the case against the petitioner for statistical purposes. Accordingly, he prayed for the grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner was found in possession of 63 liquor bottles and that there are no previous cases against him. Accordingly, he objected to the grant of anticipatory bail to the petitioner.

5. This Court heard the learned counsel on either side and perused the materials placed on record.

6. Taking into consideration the facts and circumstances of the case, and also considering the undertaking given by the petitioner to pay a non-refundable amount, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

7. Accordingly, this petition is allowed and 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 made ready, before the learned Judicial Magistrate Court, Manapparai, on condition that the petitioner shall execute a bond for a sum of Rs.



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10,000/-(Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions 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 is directed to pay a sum of Rs.5,000/- (Rupees Five Thousand only), as non-refundable, to the credit of the Head Master, Sethupathi Government Higher Secondary School, Thiruchuli (Account No:-30700985498, State Bank of India, Tiruchuli, IFSC Code:-SBIN0003832, without prejudice to his rights and contentions before the trial Court. Only upon deposit, the learned Magistrate shall accept the sureties;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 15 days and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 petitioners 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]*; and

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS, 2023.

12.03.2026

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To

- 1.The Judicial Magistrate Court,
Manapparai.
- 2.The Inspector of Police,
Vaiyampatty Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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K.K.RAMAKRISHNAN,J.

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ORDER
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