



CRL OP(MD). No. 7525 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP (MD) . No. 7525 of 2026

Kathiresan

..Petitioner/A2

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Prohibition Enforcement Wing,
Theni,
Theni District.
(Crime No. 90 of 2026)

...Respondent/Complainant

For Petitioner :Mr.R.Shankar Ganesh
Advocate.

For Respondent :Mr.M.Karunanithi
Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482
of BNSS

PRAYER :- For Anticipatory Bail in Cr.No.90 of
2026 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/A2, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 4(1)(A), 4(1)(C) and 24 of Tamilnadu Prohibition Act, in Crime No.90 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, during check up, the respondent Police found that the petitioner and other accused were in illegal possession of 32 bottles of liquor for illegal sale. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case and he is no way connected in the above said



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incident. He would further submit the he is an employee of the bar and at the time of recovery, he was not present in the scene of occurrence and recovery was made only from A1. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner has one previous case, which is similar in nature. He would further submit that the investigation is pending. However, he opposes to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the quantity of the material involved in this case and though the petitioner



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has one previous case, he was granted bail, and the material part of the investigation might have been completed and he is an employee of the bar and at the time of recovery, he was not present in the scene of occurrence and recovery was made only from A1, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Principal Sessions Judge, Theni, and on further conditions that:

[b] the petitioner shall report before the respondent police once in a



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week ie., on Every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if



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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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)

17.04.2026

vsg



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To

- 1.The learned Principal Sessions Judge, Theni.
- 2.The Inspector of Police,
Prohibition Enforcement Wing,
Theni,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J.,

vsg

ORDER
IN
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