



CRL OP(MD). No.10196 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 05/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.10196 of 2026

Pothiraja @ Pothi Karthick

... Petitioner' / Accused No.2

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
Veerapandi Police Station,
Theni District.

In Crime Number. 314 of 2026.

... Respondent/ Complainant

PRAYER :-

For Anticipatory Bail in Crime No. 314 of 2026 on the file of the
Respondent Police.

For Petitioner : S.Srikanth,
Advocate.

For Respondent : Mr.N.Balasubramanian,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-



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The petitioner, who apprehends arrest at the hands of the respondent for the offence punishable under Section 4(1)A of TNP Act, in Crime No.314 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A1 was found in illegal possession of 48 numbers of 180 of liquor bottles with an intention to sell the same at a price higher than the prescribed rate before the opening of the TASMAL shops. On enquiry, it reveals that the petitioner purchased the liquor bottles in bulk from TASMAL shops and supplied the same to A1. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he was falsely implicated in this case and he has no way connected in the above said incident. He would further submit that no recovery was made from this petitioner and only based on the confession of the co-accused, he was arrayed as an accused. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the accused was found in illegal possession of 48 numbers of 180 of



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liquor bottles with an intention to sell the same at a price higher than the prescribed rate before the opening of the TASMAC shops and the investigation is still pending and the petitioner has 3 previous cases. Hence, 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 nature of offences charged against the petitioner, and the quantity involved in this case and based on the confession of the co-accused, the petitioner herein was arrayed as an accused and though the petitioner has 3 previous cases, in those cases, he was released on bail, 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 bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Theni**, on condition that the petitioner



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shall 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 Judicial Magistrate concerned and on further conditions that:

[b] the petitioner shall report before the respondent police, every Saturday at 10.30 a.m. for a period of 4 weeks, and thereafter as and when required for the interrogation.

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

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

[e] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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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.

05.06.2026

dss

To

- 1.The Judicial Magistrate No.I, Theni.
- 2.The Inspector of Police,
Veerapandi Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL,J

dss

ORDER
IN
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