

(2026) 02 MAD CK 1700

In the Madras High Court, Madurai Bench

Case No : Criminal Original Petition (MD) No. 2103 Of 2026

Murugavel

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision : 04-02-2026

Acts Referred:

Tamil Nadu Prohibition (Amendment) Act, 2024 — Section 4(1)(A), 4(1)(C)
Bharatiya Nyaya Sanhita, 2023 — Section 269

Citation : (2026) 02 MAD CK 1700

Hon'ble Judges : S.Srimathy, J

Bench : Single Bench

Advocate : K.Sivabalan, S.S.Manoj

Judgement

S.Srimathy, J

1. The petitioner, who was arrested and remanded to judicial custody on 26.01.2026 for the offences punishable under Sections 4(1)(A), 4(1)(C) of Tamil Nadu Prohibition (Amendment) Act, 2024, in Crime No.21 of 2026 on the file of the respondent police, seeks bail.
2. The case of the prosecution is that the petitioner and the other accused were in illegal possession of 26 liquor bottles, each containing 180 ml. Hence, the complaint.
3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 26.01.2026. Hence, he seeks bail to the petitioner.
4. The learned Government Advocate (Crl. side) submitted that the petitioner and the other accused were in illegal possession of 26 liquor bottles, each containing 180 ml. He further submitted that one previous case is pending against the petitioner. Therefore, he opposed for grant of bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing 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, Mudukulathur, Ramanathapuram District, 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall make a non refundable deposit of Rs.3,000/- (Rupees Three Thousand only) to the credit of the Head Master, Government Boys Higher Secondary School, Y.Othakadai, Madurai District, in SBI Account No.30162368975, IFSC No.SBIN0002246, State Bank of India, Y.Othakadai Branch, Madurai District. This fund shall be utilized for the purpose of purchasing furniture (Benches & Desks) for newly constructed class rooms under 'Namakku Naame' Scheme.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[d] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[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 petitioner is 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 BNS.