

(2026) 02 MAD CK 1765

In the Madras High Court

Case No : Criminal Original Petition No. 4075 Of 2026

Reeta

APPELLANT

Vs

State Of Tamilnadu

RESPONDENT

Date of Decision : 19-02-2026

Acts Referred:

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

Citation : (2026) 02 MAD CK 1765

Hon'ble Judges : K.Rajasekar, J

Bench : Single Bench

Advocate : D.Thirumoorthy, C.E.Pratap

Judgement

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 03.02.2026, for the alleged offence punishable under Section 4(1)(c) and 4(1-A) (ii) of TN Prohibition (Amendment) Act, 2024 in Crime No.39 of 2026, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein is involved in possession of 92 bottles of liquor, each containing 180 ml, for the purpose of selling the same as retail. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody since 03.02.2026.

Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police reiterated the prosecution case and submitted that the petitioner is also having 4 previous cases of similar in nature. Hence, he opposed the grant of bail to the petitioner.

5. Considering the nature of the allegations and that the contraband was seized in this case and though there are 4 previous cases reported, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate, Ambur, and on further conditions that:-

[a] 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 shall report before the respondent police daily at 10.30 a.m., for a period of four weeks.

[c] the petitioner shall not abscond either during investigation or trial;

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

[e] 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 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 SCW5 560];

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