

(2026) 01 MAD CK 1795

In the Madras High Court

Case No : Criminal Original Petition No. 1034 Of 2026

Subramani G

APPELLANT

Vs

State

RESPONDENT

Date of Decision : 19-01-2026

Acts Referred:

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

Citation : (2026) 01 MAD CK 1795

Hon'ble Judges : K.Rajasekar, J

Bench : Single Bench

Advocate : T. Muruganantham, A. Gopinath

Judgement

K.Rajasekar, J

1. The petitioner, who was arrested and remanded to judicial custody on 27.11.2025 for the offences punishable under Sections 4(1)(C), 4(1) (A) and 4(1-A)(ii) of TNP Amendment Act, 2024 in Crime No.354 of 2025 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner herein is that, the petitioner was found in illegal possession and transportation of 288 bottles of Bangalore Brandy and 48 bottles of Carnival XXX Rum (90 ml each). Hence, this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in judicial custody since 27.11.2025; and that the petitioner is ready to abide by any condition that may be imposed by this Court, hence prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent while opposing the bail to the petitioner reiterated the prosecution case and submitted that major part of the investigation is completed and this Court has earlier dismissed the bail petition of the petitioner on 16.12.2025 in Crl.O.P.No.34380 of 2025.

5. Heard both sides and perused the materials available on record including the First Information Report.

6. Considering the submissions of the learned counsel on either side and the fact that petitioner is in judicial custody from 27.11.2025 and considering the nature of allegations and the fact that investigation in this case is almost completed, this Court is inclined to grant bail to the petitioner on certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on her 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 Judicial Magistrate, Gudiyatham 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 appear before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation;

[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 SCW 5560];

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