

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, KRISHNAGIRI.**Present: Tmt.V.R.Latha, M.A., B.L.,****Principal Sessions Judge, Krishnagiri**Thursday, the 12th day of March 2026**CRIMINAL MISCELLANEOUS PETITION NO.827/ 2026.**

1.Sekar

... Petitioner/ Accused

/Versus/

State: The Inspector of Police,

PEW Uthangarai P.S., Cr.No: 44/2026

...Respondent/Complainant

This petition has come up today before this court in the presence of Tr.K.Marks, counsel for the petitioner and Tr.M.Visva Bharathi, Public Prosecutor for the respondent. After perusing the petition averments, upon hearing both sides arguments, this Court pronounces the following:

ORDER

This petition has been filed by the petitioner/accused U/S. 483 of BNSS Act, seeking bail. Petitioner was arrested and remanded to judicial custody on 18.02.2026 for the alleged offence U/S. 4(1)(C) r/w 4(1-A)(ii) of TNP Act.

2] The learned counsel for the petitioner has submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Only for statistical purpose, the defacto complainant gave a false complaint against the petitioner with false allegations and that the respondent/police has falsely implicated the petitioner in this case. The petitioner is in judicial custody for the past 23 days. The petitioner is a law abiding citizen and he is only breadwinner of his family and he is ready to abide the

condition if any to be imposed by this court. Accordingly, the learned counsel for the petitioner has prayed to release the petitioner on bail.

3] On the other hand, the learned Public prosecutor vehemently opposed to grant bail to the petitioner by stating that on the occurrence date, when the respondent/police were on their patrol duty, at that time this petitioner kept 5 litres of illicit arrack intended for sale to the general public and 200 litres of fermented wash intended for illegal liquor production and committed the alleged offence. The respondent/police has seized above said liquor from the occurrence place and case has been registered against the petitioner. Accordingly, the learned Public prosecutor has strongly opposed to grant bail to the petitioner.

4] Heard both sides and perused the materials available on record.

5] Considering the facts and circumstances of the case, the submissions made by the learned counsel on either side, the period of incarceration undergone by the petitioner and also considering the fact that the illicit arrack and fermented wash have already been seized by the respondent police, this Court is inclined to grant bail to the petitioner, subject to the following conditions.

(a) In the result, this petition is allowed and the petitioner is hereby ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, Uthangarai.

(b) The sureties shall affix their photographs and left Thumb impression in the surety bond and the learned Judicial Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.

(c) Further, the petitioner shall make himself available for interrogation as and when

required by the investigation officer.

(d) The petitioner shall appear and sign before the respondent police station daily at 9.00 A.M., until further orders. The condition which is being imposed to be complied without any deviation. No further application will be entertained for a period of 30 days.

(e) The petitioner shall not abscond during trial and shall not tamper with witness/evidence.

(f) On breach of any of the aforesaid conditions, the learned Judicial Magistrate, is entitled to take appropriate action against the petitioner in accordance with law as if the conditions are imposed by the above said Magistrate and the petitioner is released on bail by the trial Court itself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs.State of Kerala (2005 AIR SCW 5560). If the accused thereafter absconds, a fresh F.I.R can be registered u/sec.269 of BNS Act, With the above directions, this petition is allowed.

Pronounced by me in the Open Court on this, the 12th day of March 2026.

Principal Sessions Judge,
Krishnagiri.

Copy To: 1) The Judicial Magistrate, Uthangarai.
2) The Public prosecutor, Principal District Court, Krishnagiri.
3) The Inspector of police, PEW Uthangarai P.S.
4) Tr.K.Marks, Advocate, Krishnagiri.