

**IN THE COURT OF DISTRICT AND SESSIONS JUDGE,
MAYILADUTHURAI.**

Present: Dr. L.S. SATHIYAMURTHY, M.A., M.L., Ph.D.,
District and Sessions Judge, Mayiladuthurai.
State of Tamil Nadu.

Thursday, this the 12th day of March 2026.

Crl.M.P. No. 339/2026

A3. Ponmani Rajendran, C/o. Ananthraj ... Petitioner/Accused.

Vs

State through the Inspector of Police,

PEW., Sirkali in Cr.No.76/2026.

... Respondent/Complainant

U/s. 4(1)(A), 4(1-A)(ii) of The TamilNadu Prohibition Amendment Act & Transport Act.

This petition came up today for the hearing in the presence of Thiru. M. Mohan, Advocate for the Petitioner and Tmt. A. Aruna on behalf of the Public Prosecutor for the State and after careful consideration of the materials available on record and the submissions made on behalf of the parties, this court passed the following:

ORDER

1. This is a petition filed U/s. 482 of BNSS, 2023.

2. Heard, the learned counsel for the petitioner and the learned Public Prosecutor.

3. The learned counsel for the petitioners/Accused submitted that the respondent police has registered a case against the petitioner for the offences U/s. 4(1)(A), 4(1-A)(ii) of The TamilNadu Prohibition Amendment Act, & Transport Act. The alleged occurrence is said to have taken place on 19.02.2026. The petitioner is innocent and she did not commit any offences as alleged by the prosecution. The petitioner suffering with illness and under went surgery for her ailment. The petitioner is no way connected with this case. Case properties were not recovered. The respondent police registered false case against the petitioner for statistical purpose only. Investigation is almost over. No previous case is pending against the petitioner. The petitioner apprehend arrest at the hands of police and she is ready to

abide by any conditions that would be imposed by this court and prayed for grant of anticipatory bail to the petitioner.

4. The learned Public Prosecutor has argued that the *defacto-complainant* is the Sub Inspector of Police, Sirkali P.S. The defacto-complainant along with his team was on patrol. As per the case of the prosecution, the petitioner who is the owner of the vehicle and along with the other accused was found in illegal possession of 110 liters of Pondi arrack and 480 bottles of Director's Club brandy. Hence, the case. Case properties were sent for chemical analysis. Anticipatory bail cannot granted for the cases under prohibition act and other accused persons are still absconding. Investigation is pending and objected to grant anticipatory bail to the petitioners.

5. This court carefully considered the submission made by either side. The petitioner is the owner of the vehicle, which was allegedly used for transporting the liquor bottles and illicit arrack. She prayed for pre arrest bail apprehending arrest at the hands of the respondent police, the FIR was registered against five accused persons on 19.02.2026 U/s. 4(1)(A), 4(1-A)(ii) of The TamilNadu Prohibition Amendment Act and Transport Act. A1 was already arrested and remanded to judicial custody and the other accused persons shown as absconding and the police could not secure them. At this juncture, the petitioner whose vehicle was used for the alleged occurrence has sought for this pre arrest bail. Offences under the prohibition act, it is not appropriate to enlarge the prime accused on anticipatory bail. Therefore, this petition deserves dismissal.

In the result, this petition is dismissed.

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

District and Sessions Judge,
Mayiladuthurai.

Copy to

1. The Judicial Magistrate, Sirkali.
2. The Inspector of Police, PEW., Sirkali.
3. The Petitioner through his counsel.