

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

Present: Tmt. R.Sathia Thara, M.A., M.L.,
District and Sessions Judge, Mayiladuthurai.
State of Tamil Nadu.

Wednesday, this the 01st day of July 2026

2057 Thiruvalluvar Aandu Parapava Varudam on 17th day of Aani Thingal

CrI.M.P. No. 843/2026

Vetrimani, S/o. Perumal

... Petitioner/accused person.

Vs.

The State represented by the Sub Inspector of Police,
Sembanarkoil P.S. in Cr. No.341/2026

... Respondent/Complainant.

This bail petition was coming up on 01.07.2026 before me for hearing in the presence of Thiru. R. Bernardshah, the learned counsel for Petitioner/accused person and the learned Additional Public Prosecutor not nominated and upon considering the submissions of petitioner side and on perusal of entire available records and having stood over for consideration till this date, this court delivered the following:-

ORDER

This petition is filed under Section 483 of Bharathiya Nagarik Suraksha Sanhita (BNSS) - 2023 to grant bail to the petitioner / accused person who was remanded to Judicial Custody on 12.06.2026 for the offences alleged under sections 4(1) (A) r/w 4(a) (ii) TNP Act. The respondent police has registered a case against the petitioner / accused person in Cr. No. 341/2026 of Sembanarkoil P.S. The complaint was received and FIR was registered on 12.06.2026.

Heard the learned counsel for the petitioner and perused the records.

On perusal of FIR, it is noted that, the defacto-complainant is the Inspector of Police, Sembanarkoil P.S. The defacto-complainant along with her team was on patrol duty. The respondent police has arrested the petitioner for having possession of 105 liters of pondy poisonous arrack and therefore FIR registered under sections 4(1) (A) r/w 4(1-A) (ii) TNP Amendment Act.

The Learned counsel for the petitioner would submit that this is the 2nd bail application and the petitioner is in judicial custody for the past 20 days. No previous cases against the petitioner. No Property recovered from the petitioner. False case has been registered against the petitioner. The petitioner did not commit any offences alleged and the petitioner is having permanent residence and he is ready and willing to abide any conditions imposed by this court and willing to furnish substantial sureties and the petitioner will not abscond and no other bail petition is pending in any other court and therefore prays to enlarge him on bail.

On perusal of Police reply, it is noted that the complaint was lodged by the police official and the petitioner found in illegal possession of 105 liters of pondy poisonous arrack. In such situation, that if the petitioner/accused person is released on bail, he may commit similar offence again and strongly objected to release the petitioner / accused person on bail.

On considering the rival submissions of petitioner side and on perusal of material records it is noted that the petitioner / accused person having possession of 105 liters of pondy poisonous arrack and seized from the petitioner. The petitioner is in judicial custody for about 20 days. Taking note of the facts and circumstances of the case and the length of his incarceration, this Court is inclined to grant bail by imposing serious condition.

In the result, this bail petition is allowed on the following conditions.

1. that the petitioner / accused person is ordered to be enlarged on bail on his executing bail bond for a sum of Rs.10,000/- along with two sureties each for the like sum to the satisfaction before the District Munsif cum Judicial Magistrate, Tharangambadi.
2. the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Passbook to ensure the identity.
3. **the petitioner shall report before the respondent police station daily at 10.00 a.m. for a period of 30 days.**
4. The petitioner should co-operate for the investigation and should not threaten the witnesses.
5. the petitioner shall not abscond either during investigation or trial.

6. the petitioner shall not tamper with evidence or witness either during investigation or trial.
7. On breach of any of the aforesaid conditions, the 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 trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji/Vs/State of Kerala, [(2005) AIR S.C.W.5560]*.
8. If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of BNS.

Pronounced by me in open Court, on this 01st day of July, 2026.

District and Sessions Judge,
Mayiladuthurai.

Copy to

1. The District Munsif cum Judicial Magistrate, Tharangambadi.
2. The Inspector of Police, Sembanarkoil P.S.
3. The Petitioner through his counsel.