

**IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE,
SALEM**

Present: Tmt.S.Sumathy, M.L.,
Principal Sessions Judge,
Salem.

Tuesday, this the 10th day of March, 2026

CRIMINAL MISCELLANEOUS PETITION No. 601/2026
(CNR.No.TNSA010012762026)

Dinesh (28), S/o. Annamalai ... Petitioner/Accused

/Versus/

State by: The Sub Inspector of Police,
Fairlands P.S.,
Cr.No. 43/2026. ... Respondent/Complainant

This petition is filed on 07.03.2026 u/s.483 of BNSS, to grant bail to the petitioner.

This petition is coming on this day for hearing before me, in the presence of Tr.T.Kathervellu, Counsel for the petitioner and the Public Prosecutor for the respondent, after perusing the averments, this Court delivered the following:

ORDER

Heard both side and records perused. The petitioner is the accused in Cr.No.43/2026 of Fairlands P.S. The petitioner who was remanded to judicial custody on 24.02.2026 for the alleged offences u/sec. 4(1)(C) r/w. 4(1)(a) and 4(1-A) TNP Act, has come forward with this petition seeking to release him on bail.

2) The case of the prosecution is that on 24.02.2026 at about 14.00 hrs., when the defacto complainant and his police team were in patrolling at Fairlands, Molapattiyavattam, near the petitioner's house, the petitioner

was found in possession of 05 bottles of Black Pearl Brandy (each 180 ml.), 09 bottles of Express Brandy (each 180 ml.), 04 bottles of Diamond Rum (each 180 ml.), 02 bottles of MC Brandy (each 180 ml.), 03 bottles of Vodka, 12 bottles of Black Beer (each 650 ml.), 08 bottles of British Empire (each 650 ml.) and 40 bottles of SNJ Beer (each 650 ml.) (Totally 92 bottles), containing ingredients of poisonous substances. Hence this case.

3) The learned Counsel for the petitioner has submitted that the petitioner has not committed any offence and he is falsely implicated in this case; there is no previous case against the petitioner and for the past 15 days, he is in judicial custody and prayed to enlarge the petitioner on bail.

4) On the other hand, the learned Public Prosecutor has reiterated the facts of the case and submitted that the petitioner has already involved in another POCSO Act case, hence, he objected to release the petitioner on bail.

5) In the stated circumstances, considering the facts of the case, the submissions made by both side and the incarceration period of the petitioner, this Court is inclined to grant bail to the petitioner on the following conditions:

- i) that the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Salem;
- ii) that the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or Bank pass book to ensure their identity;
- iii) that the petitioner shall appear and sign before the respondent/police daily at 10.00 a.m., until further orders (for a minimum period of 30

days) and on further condition that he shall make available himself for interrogation as and when required by the investigation Officer;

- iv) that the petitioner shall not tamper with evidence or witness either during investigation or trial;
- v) that the petitioner shall not abscond either during investigation or trial;
- vi) that 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]*; and
- vii) If the accused thereafter absconds, a fresh FIR can be registered u/s.269 of BNS.

In the result, this petition is allowed.

Pronounced by me in Open Court, this the 10th day of March, 2026.

Principal Sessions Judge,
Salem.

Copy to the Judicial Magistrate No.V, Salem.

Copy to the Supdt. of Jail in which the accused is confined.

Copy to the Sub Inspector of Police, Fairlands P.S.