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Crl.M.P.No.1120/2026
Theni Police Station
Crime No : 312/2026

IN THE COURT OF THE PRINCIPAL SESSIONS JUDGE, THENI.

Present : Thiru. A. Saravanakumar, B.A.,B.L.,

Principal Sessions Judge, Theni.

Tuesday, this the 30th day of June – 2026

Crl.M.P.No.1120/2026 - In -

CNR.No.TNTH01-002020-2026

Lakshmiprasath

... Petitioner/Accused

Vs.

The State rep. by
The Inspector of Police,
Theni Police Station,
(Cr.No.312/2026)

... Respondent / Complainant

The petition coming on this day for final hearing before me in the presence of Thiru. C. Jeyam, Advocate for the petitioner and Thiru. P. Baskaran, Public Prosecutor for the State, after hearing both sides and perusing the written reply submitted by the respondent and records, this court delivers the following ...

ORDER

The petitioner, who is in judicial custody for the offences charged u/s.4(1)(A), 4(1)(C) of Tamilnadu Prohibition (Amendment) Act in Crime No.312/2026 of the respondent police since 20.05.2026 is seeking for his release on bail u/s.483 of B.N.S.S.,

30.06.2026

Principal Sessions Judge, Theni



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2. This is an application for bail in respect of a case registered against the petitioner/accused u/s.4(1)(A), 4(1)(C) of Tamilnadu Prohibition (Amendment) Act.

3. The learned counsel for the accused submits that the accused is an innocent person and he has not committed any offence. If he is enlarged on bail, he would furnish sufficient sureties. It is also his submission that the co accused involved in this case has been released on bail by this court.

4. The prosecution is given notice. The learned Public Prosecutor strongly objected to release the accused on the ground that the investigation is not yet completed and the accused is involved in 11 previous cases of a similar nature.

5. Considering the rival submissions, it is noticed that the occurrence has taken place on 19.05.2026 and the accused is in custody from 20.05.2026. The total period of custody exceeds 41 days. A cursory perusal of the case records would go to show that the accused was found to be in possession of 21 liquor bottles and cash Rs.2,600/-, which is said to be sale proceeds of the liquor. A further careful analysis of the case records would go to show that the accused was caught by the Respondent Inspector of Police while he was taking rounds. Therefore all the witnesses seemed to be police officials and there is no possibility of tampering the witnesses. Moreover, the co accused A2 involved in this case, namely Ramadurai has already been released on bail by this court in Crl.M.P.No.976/2026 dated 12.06.2026. The accused has a permanent residence within the jurisdiction of the respondent police station. Therefore



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there is no possibility of fleeing from justice. Though the learned Public Prosecutor submitted that the accused is involved in 11 previous cases of a similar nature, no conviction has been recorded against the accused. Considering the totality of the facts and circumstances of the case and the number of the days in custody, this court is inclined to consider the bail application of the petitioner with the following conditions.

(i) Bond and Sureties :-

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

(ii) Daily Appearance Requirement :-

The petitioner **shall appear and report before the Respondent Police Station daily at 10.00 a.m., and 5.00 p.m., for 30 days** and thereafter, shall appear on summons.

(iii) Identification Documentation :-

(a) The sureties shall affix their photographs and left thumb impression and the Judicial Magistrate while considering the sureties, shall obtain the copy of their Aadhar card or bank pass book to ensure their identity.

(b) The petitioner's photograph and Aadhaar Card with bank pass book copy shall also be obtained while considering the sureties.



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(iv) Contact Details for E-Summons and Court Communications :-

The petitioner shall furnish and maintain active mobile number (s) and email ID (s) for receipt of e-summons, notices and other court communications. Any change shall be made only with prior permission of the concerned court.

(v) Cooperation with Investigation :-

The petitioner shall appear before the respondent police and cooperate with the investigation as and when required.

(vi) Cooperation for Expeditious Trial :-

The petitioner shall not seek unnecessary adjournments or adopt any tactic to delay the trial proceedings.

(vii) Non-Interference with Witnesses :-

The petitioner shall not directly or indirectly threaten, induce or influence any witness or person connected with the case.

(viii) Travel Restriction :-

The petitioner shall not leave the State of Tamil Nadu without prior permission of the concerned Court and shall not involve himself in similar offences.

(ix) Cooperation for Early Disposal :-

The petitioner shall cooperate with the Court for the early disposal of the case.



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(x) Consequences of Breach :-

Any violation of the aforesaid bail conditions shall entail appropriate action against the petitioner in accordance with law, including cancellation of bail, as laid down by the Hon'ble Supreme Court in P.K. Shaji Vs. State of Kerala, reported in AIR 2005 SCW 5506.

(xi) Absconding Consequences :-

In the event, if the petitioner absconds, a fresh F.I.R shall be registered u/s.269 of BNS.

Given by me, this the 30th day of June - 2026.

**Principal Sessions Judge,
Theni.**

Copy to :-

1. The Judicial Magistrate, Theni.
2. The Public Prosecutor, Theni.
3. The Inspector of Police, Theni Police Station.
4. Counsel for the petitioner.