

In the Court of Sessions, Tirunelveli Division
Before the Principal Sessions Judge, Tirunelveli.
PRESENT : **Thiru.N.VENKATAVARADAN, B.L.,**
PRINCIPAL SESSIONS JUDGE, TIRUNELVELI
Wednesday, the 17th day of June 2026.
Cr.M.P.No.2389/2026
(CNR No.TNTL 0100 4630 2026)

Nagarajan, S/o.Thalavai.

...Petitioner/Accused.

/Versus /

State: The Inspector of Police,
Thatchanallur P.S
Cr.No.214/2026.

...Respondent/Complainant.

Petition dated:03.06.2026 U/s. 482 of B.N.S.S. through e-filing prays to grant anticipatory bail.

This petition is coming on this day for hearing before me, in the presence of THIRU.D.ANANDANAYAGAM, Advocate for the petitioner and THIRU.N.THIRUMALAI KUMAR, the Additional Public Prosecutor for the respondent and upon hearing both sides arguments, this Court passed the following :

ORDER

The Petitioner/accused seeks anticipatory bail for the alleged offences under Sections. 4(1)(A) of TNP Act, registered by the respondent police.

The petitioner states that the petitioner apprehends, arrest, torture and harassment at the hands of the respondent for the offences under section 4(1)(A) of TNP Act in Cr.No.214/2026 . The Petitioner is innocent and he has not committed any offences. The alleged occurrence is said to have taken place on 02.05.2026 and reported on the same day. According to the prosecution case while defacto complainant and other police party were involved in the vehicle check nearby Thatchanallur on 02.05.2026, at that time the petitioner and co-accused had 602 liquor bottles without any valid permit. It is a false case. The petitioner is ready to abide any conditions and therefore seeks to enlarge him on anticipatory bail.

The respondent police filed objections stating that, it is a case of finding three accuses on 02.05.2026 at about 12.30 a.m. near Thatchanallur Nainarkulam market and behind the sudalai kovil and these persons were possessing liquor bottles and the present petitioner herein ran away from the scene of occurrence and other two arrested and the liquor bottles were also seized. The respondent police therefore, objected to release the petitioner on anticipatory bail. The respondent police have not stated any previous antecedent to the petitioner herein.

The point for consideration is: Whether the petitioner is entitled to the relief of anticipatory Bail as prayed for?

Point: Heard both sides. The petitioner who has been alleged to involved in the commission of offence in the above case for possession of liquor bottles along with other two accuses, but he is not in the scene of occurrence. The petitioner claims that he is innocent and he is false implicated in this case. At the same time, there is no previous cases reported as against the petitioner herein by the respondent police. Taking into consideration of these circumstances, this court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

- a) that in the event of arrest of the petitioner by the respondent/police or on his surrender before the learned Judicial Magistrate No.IV Tirunelveli within 15 days from the date of this order and on such arrest or surrender the petitioner is ordered to be enlarged on anticipatory bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.IV Tirunelveli **If the petitioner/accused is not surrender within 15 days from the date of this order this Anticipatory bail shall stands cancelled automatically;**
- b) that the petitioner and 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;
- c) **that the petitioner shall report and sign before the respondent police, daily at 10.00 a.m., for a period of 15 days** and further respondent police is directed to submit the report, deviations if any committed by the petitioner in observing the above condition. On further condition that he shall make available himself for interrogation as and when required by the investigation Officer ;

- d) that the petitioner shall not tamper with evidence or witness either during investigation or trial;
- e) that the petitioner shall not abscond either during investigation or trial;
- f) 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);
- g) If the accused thereafter absconds, a fresh FIR can be registered U/s 269 BNS.

Pronounced by me in open court, this the 17th day of June 2026.

PRINCIPAL SESSIONS JUDGE,
TIRUNELVELI.