

In the Court of the Vacation Sessions Judge, Tiruvarur.

**Present: Thiru. M.VADIVEL, B.Com.,B.L.,
Sessions Judge,**

Special Court for trial of cases under SC and ST (PoA) Act., Tiruvarur.

Vacation Sessions Judge, Tiruvarur.

Friday, this the 29th day of May 2026

CrI.M.P.No. 433/2026

1. Jayaseelan, aged 50/2026,
S/o. Ramalingam

2. Pandiyarajan, aged 46/2026,
S/o. Sannaci

... Petitioner/ Accused.

Vs

State rep. through the Inspector of Police,
Mannargudi Town Police Station,
Crime Number 214/2026.

... Respondent/Complainant.

This petition came up before this Court for hearing moved by Mr. M. Padmasuresh, Advocate for the petitioners/accused and Mr. D. Manivannan, Public Prosecutor for the State and upon perusing the petition and reply, this Court passes the following:-

ORDER

This petition has been filed by the petitioners under section 483 of Bharatiya Nagarik Suraksha Sanhita to grant bail with regard to the case in Crime Number 214/2026 of Mannargudi Town Police Station for the offence petition mentioned as punishable under sections 4(1-A)(ii), 4(1)(C) of TNP Amendment Act 2024.

2. According to the petitioners, they are remanded to judicial custody on 13.05.2026. They are innocent persons and has committed not any offence as described by the complainant or whatsoever. The defacto complainant had stated that the petitioners have been in possession of 180 m.l., Black Pear Brandy – 20 Bottles, Old Chef Brandy – 20 Bottles. The above case is a false one and it is foisted against the petitioners for the purpose of statistics. The respondent police had registered the case without following legal procedures as according to section 32 of Tamil Nadu Prohibition Act. An earlier bail application in Criminal Miscellaneous Petition

Number 419/2026 was dismissed by the Judicial Magistrate No.I, Mannargudi dated 14.05.2026. The investigation could have been completed at this stage and hence seeks to grant bail to the petitioners.

3. Whereas the Public Prosecutor has submitted the reply of Respondent / Complainant in which stated that the investigation still pending for want of chemical report and accused are secured. If the petitioners have been released on bail, they will tamper witnesses, they will involve in similar offence and hence strongly objected to let the accused on bail.

4. Reply received and perused. Heard. The petitioners are custody from 13.05.2026 onwards. Considering the nature and gravity of offence and also other facts and circumstances of the case, this Court is inclined to grant bail to the petitioners.

5. In the result, this petition is allowed with the following conditions:

- (i) The petitioners each shall execute a bond for a sum of Rs.15,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Mannargudi.
- (ii) The petitioners and the sureties each shall affix their photographs and Left Thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity.
- (iii) The petitioners shall report before the Inspector of Police, Mannargudi Town Police Station daily at 10.30 a.m., for a period of one month from the date of release.
- (iv) The petitioners shall not tamper with evidence of witnesses either during investigation or trial.

- (v) The petitioners shall not abscond either during investigation or trial.
- (vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are released on bail by the learned Magistrate/Trial Court as laid down by the Hon'ble Supreme court in P.K. Shaji .Vs. State of Kerala ((2005) AIR SCW 5560)
- (vii) If the petitioners/accused thereafter abscond, a fresh FIR can be registered under section 269 BNS.

Pronounced by me, this the 29th day of May 2026.

**Vacation Sessions Judge,
Thiruvarur.**

Copy to (Through E-mail):

The Judicial Magistrate No.I, Mannargudi.

The counsel for the Petitioners.

The Inspector of Police, Mannargudi Town Police Station.