



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Second day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12943 of 2015

KATHIR @ KATHIRAVAN,

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING, DINDIGUL
DINDIGUL DISTRICT, CRIME NO.492 OF 2015 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S. M. SIDDHARTHAN Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

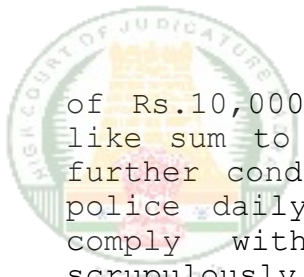
The petitioner, who is arrayed as accused No.4, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 468, 477 of I.P.C., r/w. Section 4(1) (aaa) 4 (I-A) of TNP Act in Crime No.492 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the prosecution, when the accused 1 to 3 were travelling in a TATA Sumo, the respondent police has searched the vehicle and recovered 1008 bottles of liquor manufactured in Pondichery.

3. The learned counsel for the petitioner submitted that the petitioner's name does not find place in the F.I.R. and he was implicated only on the confession of the co-accused. It is further submitted that the petitioner is innocent and he has not committed any offence as alleged by the respondent.

4. Per contra, the learned Government Advocate (crl.side) submitted that the petitioner is a manufacturer of liquor and the accused 1 to 3 have purchased the contraband from the fourth accused / petitioner and the accused 1 to 3 have been detained under Act 14 of 1982 and the petitioner is having one previous case.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Needamangalam and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
22/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE CHIEF JUDICIAL MAGISTRATE, NEEDAMANGALAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING, DINDIGUL DINDIGUL DISTRICT.

+1. CC to M/S. M. SIDDHARTHAN Advocate SR.No. 40244.

TS/27.07.2015/2P - 6C

ORDER
IN
CRL OP(MD) No.12943 of 2015
Date :22/07/2015