



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

Wednesday, the Fourth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1663 of 2015

P. KASIMAYAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PROHIBITION EXCISE WING, THIRUMANGALAM,
MADURAI DT, CRIME NO.88/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.PANDIA RAJAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(a) and 4(1-A) of TNP Act in Crime No.88 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.side).

3. It is alleged that the arrested accused in this case were in possession of 10 bottles of brandy made in Pondichery and based on the confession statement of the co-accused, this petitioner has been implicated. It is represented that there is one previous case, in Cr.No.90 of 2015, which is registered on the very same day.

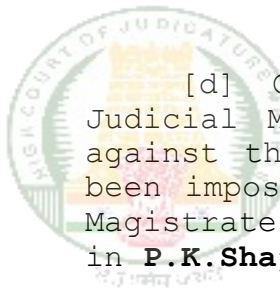
4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant Anticipatory Bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirumangalam, Madurai District on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police twice a day daily at 10.30a.m and 06.30p.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.



[d] On breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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]**.

(e) The Inspector of Police concerned, is directed to send compliance report to the office of the learned Government Advocate (Crl.Side) whether the petitioner is complying with the order or not.

sd/-

04/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE,TIRUMANGALAM.
- 2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4.THE INSPECTOR OF POLICE
PROHIBITION EXCISE WING, THIRUMANGALAM,
MADURAI DISTRICT.

ORDER

IN

CRL OP(MD) No.1663 of 2015

Date :04/02/2015

RG.09.02.2015 2P.5C.