



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

Tuesday, the Sixth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23961 of 2014

KANNAN

... PETITIONER / ACCUSED No.5

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
PROHIBITION AND EXCISE WING, SATTUR,
VIRUDHUNAGAR DT. CR.NO.533 OF 2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU Advocate

For Respondent : Mr.A.P.Balasurbramani 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)(aa), 4(1-A) (Transport) of Tamil Nadu Prohibition Act in Crime No.533 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that A.1 was in possession of 102 bottles of IMFL.

3. The Investigating Officer is present. The learned Government Advocate (Crl.Side) submitted that A.1 has been arrested and investigation has been completed and final report has also been filed.

4. Considering the fact that investigation has been completed and final report has also been filed, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aruppukottai 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 daily at 10.30 a.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]**.

sd/-
06/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4 THE INSPECTOR OF POLICE
PROHIBITION AND EXCISE WING, SATTUR, VIRUDHUNAGAR DISTRICT.

+1. CC to M/S.G.MARIMUTHU Advocate SR.No.361.

TS/08.01.2015/2P-6C

ORDER
IN
CRL OP(MD) No.23961 of 2014
Date :06/01/2015