



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2767 of 2015

P.RAMESH

..PETITIONER/ACCUSED No.3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
PROHIBITION EXCISE WING, THIRUMANGALAM,
MADURAI DISTRICT.
(CR.NO.90 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S. B. PANDIARAJAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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.90 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. It is alleged that the petitioner was in possession of 10 litres of IMFL of Pondicherry Union Territory.

3. The learned Government Advocate (Criminal side) submits that there are three cases against this petitioner, but those three cases are contemporaneous cases in Crime Nos.87 and 88 of 2015. The co-accused has been arrested and released on bail.

4. Under such circumstances, I am inclined to grant anticipatory bail to the petitioner. 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, 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 10.30 a.m., in the morning and 06.30 p.m., in the evening 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 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]**.



[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
18/02/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

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.

+1. CC to M/S. B. PANDIARAJAN Advocate SR.No.7745

ORDER IN

CRL OP(MD) No.2767 of 2015

Date :18/02/2015

PBK 19/02/2015 ::2P-6C: