

Crl.O.P.Nos.10273 and 10278 of 2016**P.KALAIYARASAN, J.**

The petitioners, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aa) r/w Section 4(1-A) of TNP Act; 4(1)(aaa) r/w Section 4(1-A) of TNP Act in Crime Nos.271 of 2016 and 272 of 2016 respectively on the file of the respondent and seek anticipatory bail.

2. The case of the prosecution is that the petitioners were alleged to have been found in possession of 262 and 1632 bottles of illicit arrack and hence the cases have been registered.

3.Heard both sides.

4.Learned counsel appearing for the petitioners would submit that the petitioners are innocent of the offences and they are having permanent residence. He would further submit that there is no bad antecedents as against the petitioners and therefore, the petitioners may be granted anticipatory bail.

5.The learned Additional Public Prosecutor opposed the petition by contending that the petitioners were found in possession of 262 and 1632 bottles of illicit arrack.

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6. Considering the fact that there is no bad antecedents as against the petitioners coupled with further fact that in both the cases, in which the petitioners are arrayed as accused, are of recent origin and since they are having permanent residence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Ponneri and on each of them 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 petitioners shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of three weeks from the date on which the order copy made ready, failing which, the petitions for anticipatory bail stand dismissed.

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05.05.2016

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