

Crl.O.P.No.11102 of 2016**B.GOKULDAS,J.,**

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aaa) of Tamil Nadu Prohibition Act in Crime No.449 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in possession of 110 litres of ID Arrack, resulting in the registration of the case.

3.The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the case.

4.The learned Government Advocate [Crl Side] represented that the petitioner has one previous case and that the entire contraband were already seized.

5. Heard the learned counsel on either side.

6. Taking into consideration of the nature of allegation in the complaint coupled with the fact that the entire contraband were seized, this court is 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, withinm a period of **fifteen (15) days** from the date of receipt of a copy of this order, before the **learned Judicial**

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Magistrate No.1, Nagapattinam, 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. till further orders;

[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]**.

25.05.2016

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