

Crl.O.P.No.3944 of 2016

K.KALYANASUNDARAM, J.

The petitioner, who is arrayed as an accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4[1][aaa], 4[1-A] TNP Act r/w Sections 7 and 11 of R.S.Rules, 2000 in Crime No.59 of 2016 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in possession of 105 liters of I.D.Arrack and the entire contraband was already seized.

3.Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, to prove his *bona fide*, the petitioner is ready to donate some amount.

4.Learned Government Advocate [Criminal side] appearing for the respondent would submit that the entire contraband was already seized and there is no previous case as against the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the entire contraband was already seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned District Munsif-cum-Judicial Magistrate, Tirukazhukundram and on his 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 petitioner shall deposit Rs.5,000/- (Rupees Five Thousand only) towards costs to the Hon'ble Chief Justice Relief Fund, High Court of Madras, Chennai - 600 104, within a period of two weeks from the date on which, the copy of the order is made ready and the petitioner shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

26.02.2016

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