



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

Friday, the Twenty Third day of September Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice C.T.SELVAM

CRL OP(MD) No.17724 of 2016

M.SURESH

... PETITIONER/ACCUSED No. 5

Vs

STATE REP.BY ITS THE INSPECTOR OF POLICE,
THEVARKULAM POLICE STATION,
TIRUNELVELI DISTRICT
CRIME NO.91/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.J.KARTHICK Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Petitioner/accused No.5, prays for grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 4(1)(a) Transport 4(1)(aaa), 4(1)(A) Tamil Nadu Prohibition Act r/w 468, 471, 473, 484, 486, 487 and 420 IPC, in Crime No.91 of 2016, on the file of the respondent police.

2.The case of the prosecution is that the petitioner along with other accused transported 960 brandy bottles, which reflected particulars of manufacture in Pondicherry, in Auto.

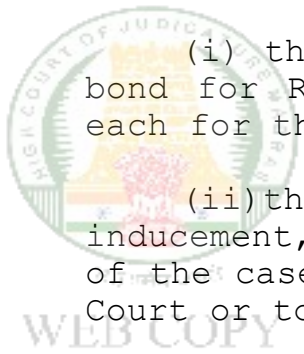
3.The learned counsel for the petitioner submits that the petitioner's name has not been mentioned in the F.I.R and his name stands wrongly included in the case.

4.Heard the learned Government Advocate (Crl. Side).

5.On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioner can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned Judicial Magistrate No.3, Tirunelveli, within 15 days from the date of receipt of a copy of the order,



(i) the petitioner shall be enlarged on bail on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the likesum to their satisfaction;

(ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m. for two weeks and thereafter as and when required.

sd/-
23/09/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.3, TIRUNELVELI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE, THEVARKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.J.KARTHICK Advocate SR.No. 55377

JA-SS-3-SAR-2/28.09.2016/2P:6C

ORDER
IN
CRL OP(MD) No.17724 of 2016
Date :23/09/2016