



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

Tuesday, the Eighteenth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18780 of 2016

A.SELVAM

... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE
ARANTHANGI POLICE STATION,
PUDUKOTTAI DISTRICT
CRIME NO.398 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.BALASUNDHARAM Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

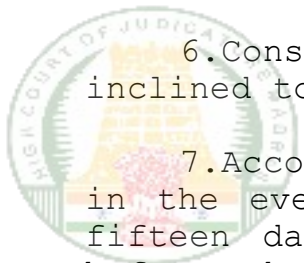
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1)(aaa), 4(1-A), TNP Act and 120(b), 420, 482, 483, 484, 485, 486 IPC in Crime No.398 of 2016 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the prosecution is that the respondent Police seized liquor bottles from the first accused namely, Balakrishnan.

4.It is submitted by the learned counsel for the petitioner that the petitioner's name has not been found in FIR and he has been falsely implicated in this case. He further submitted that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner. He further submitted that A1 has already been enlarged on bail by the learned Principal Sessions Judge, Pudukkottai in Cr.M.P.No.1510 of 2016 on 07.10.2016.

5.The learned Government Advocate (Crl.side) submitted that the petitioner / A2 is the brother of A1 and investigation is almost completed.



6.Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner.

7.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, Aranthangi, 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 am until 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]**.

sd/-

18/10/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARANTHANGI.
- 2 THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ARANTHANGI POLICE STATION, PUDUKOTTAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.BALASUNDHARAM Advocate SR.No.61178

NBJ

CSL/PV/SAR-I/20.10.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.18780 of 2016

Date :18/10/2016