



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

Thursday, the Fifteenth day of December Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23288 of 2016

1 DHEEPAN CHAKKARAVARTHI,
2 LONDON VELU @ AATHINARAYANAN, ... PETITIONERS/ACCUSED NOS.2&3

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NORTH POLICE STATION, KARAIKUDI, SIVAGANGAI DISTRICT.
(IN CRIME NO.685/2016) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.KARUNAKARAN Advocate
For Respondent : M/S.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

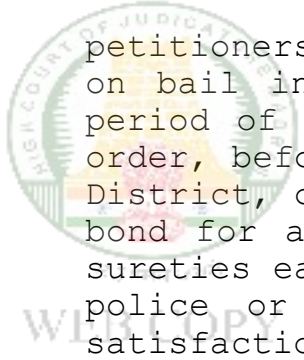
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 4 (1)(a)(i)(K)7(a) & 24 of TNP Act in Crime No.685 of 2016 on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent/State.

3. The case of the prosecution is that while the respondent police made a routine search, the accused No.1 was selling liquor bottles illegally and the respondent police seized 64 alcohol bottles worth about Rs.41,100/-. The petitioners are arrayed as A-2 and A-3.

4. The learned Government Advocate(Crl. Side) submitted that there are three accused in this case and the petitioners are A-2 and A-3 and A-1 in this case was arrested and released on bail by the learned Judicial Magistrate concerned.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the



petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Karaikudi, Sivagangai District, on condition that the petitioners shall execute a separate 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 petitioners shall report before the respondent Police daily at 10.00 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

15/12/2016

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE
KARAIKUDI, SIVAGANGAI DISTRICT
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT
 - 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4.THE INSPECTOR OF POLICE,
NORTH POLICE STATION, KARAIKUDI, SIVAGANGAI DISTRICT.
- +1. CC to M/S.S.KARUNAKARAN Advocate SR.No.80770
RL/6/2P/CK/SARI/15.12.2016

ORDER

IN

CRL OP(MD) No.23288 of 2016

Date :15/12/2016