



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

Tuesday, the Fifteenth day of March Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4453 of 2016

RAGHU@ AMMAS RAGHU

... PETITIONER/9TH ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
PROHIBITION ENFORCEMENT WING,
THIRUMANGALAM, MADURAI DISTRICT,
CR NO. 101/2015.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.SANTHANAKRISHNAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 4(1)(aaa), 4(1)(A) of Tamil Nadu Prohibition Act and 120(b), 465, 468, 471 IPC r/w 6 and 7 of TNSP Rules 2000 Transport, in Crime No.101 of 2015, on the file of the respondent Police, seek anticipatory bail.

2. Heard the learned counsel appearing for the petitioner / accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that earlier this Court, by Order dated 07.01.2016, in Crl.O.P.(MD) No.212 of 2016, granted anticipatory bail to the petitioner / accused. But, he had not produced sureties in time before the Court below and on account of which, the anticipatory bail granted to him got lapsed. The petitioner / accused filed an affidavit, dated 10.02.2016, giving reasons for not producing sureties in time.

4. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner / accused, but with conditions. Accordingly, they are 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, Thirumangalam, on condition that each of the



petitioner / accused 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner / accused shall report before the respondent Police daily at 10.00 a.m. and 5.00 p.m., until further orders.
- (ii) the petitioner / accused shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / accused shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / accused in accordance with law as if the conditions have been imposed and the petitioner / accused 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
15/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING, THIRUMANGALAM, MADURAI DISTRICT
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.SANTHANAKRISHNAN Advocate SR.No.14375

ORDER
IN
CRL OP(MD) No.4453 of 2016
Date :15/03/2016

AA/NGM-SS/SAR-I/18.03.2016/2p-6c