

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

Friday, the Eighteenth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3188 of 2016

REGHU

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PROHIBITION AND ENFORCEMENT WING POLICE
STATION, PALANI,
DINDIGUL DISTRICT.
CRIME NO.94/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.T.RAMESH RAJA 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 apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 4(1)(aaa) and Section 4(1)(A) of Tamilnadu Prohibition Act, Sections 420 and 328 of I.P.C. r/w 5, 6, 7, and 11 of TNRS Rules 2000 in Crime No.94 of 2015, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.P.T.Ramesh Raja, learned counsel appearing for the petitioner / Accused and Mr.A.P.Balasubramani, learned Government Advocate appearing for the State.

3. It is seen that the First Information Report has been registered on 29.01.2015 and the police have arrested A3, A4, A5, A6 and A7 and they have been released on bail. The principal accused N.Mathews and R.Baskaran, have been enlarged on anticipatory bail by this Court in Crl.O.P.(MD).Nos.6187 and 5136 of 2015, vide order dated 07.07.2015. The present petitioner is arrayed as A12.

4. Learned Government Advocate submitted that the present petition is having one previous case and that he is residing at Kerala.

5. Taking into consideration the fact that the First Information Report has been registered in the year 2015 and the co-accused have been granted anticipatory bail, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner /

Accused. Accordingly, he 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, Palani, on condition that the petitioner /Accused shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two **local 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 10.30 a.m. for the a period of two weeks and thereafter as and when required for interrogation.

(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]**.

4. 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/-

18/03/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE ,PALANI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING POLICE STATION,
PALANI, DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S P.T.RAMESH RAJA Advocate SR.No.15782

ORDER

IN

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Date :18/03/2016