

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Dr. Justice S. VIMALA

CRIMINAL ORIGINAL PETITION No.9709 of 2017

P.MUTHU @ MUTHUKUMARAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
PORAYAR POLICE STATION, NAGAPATTINAM DISTRICT
CR.NO.219 OF 2017.

For Petitioner : M/S.O.S.THILAK PASUMPUDAIYAR Advocate

For Respondent : MR.M. MOHAMED RIYAZ 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)(aaaa) r/w 4(1-A) of the Tamil Nadu Prohibition Act in Crime No.219 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession of 110 litres of I.D. Arrack.

3.The learned counsel for the petitioner contended that the petitioner has nothing to do with the alleged offences.

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

5.Considering the stated circumstances, anticipatory bail is granted to the petitioner.

6.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 No.II, Mayiladuthurai, 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 twice in a week i.e., on every Monday and Wednesday at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[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 authorised to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner was released on bail by the learned Magistrate/Trial Court as laid down by the Hon'ble Supreme Court in **P.K.Shaji v. State of Kerala [(2005)AIR SCW 5560]**.

-sd/-

24/05/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, MAYILADUTHURAI

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PORAYAR POLICE STATION,
NAGAPATTINAM DISTRICT

+1 CC to M/S.O.S.THILAK PASUMPUDAIYAR Advocate on payment
of necessary charges Sr.No.9520

CRL OP.9709/2017

Date :24/05/2017

MD: 29/05/2017