



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

Wednesday, the Twenty Seventh day of September Two Thousand
Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.12848 of 2017

1 VEERANAN
2 BOSE
3 KARUPPAYEE

... PETITIONERS/ACCUSED No.2 to 4

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
PEW, THIRUMANGALAM UNIT,
MADURAI DISTRICT,
CRIME NO.890/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.ATHILAKSHMI Advocate

For Respondent : MR.C.RAMESH, Additional Public Prosecutor,

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

ORDER : The Court Made the following order :-

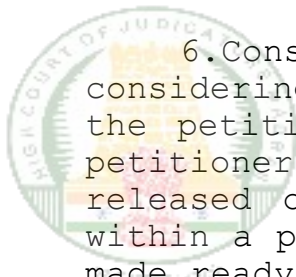
The petitioners / Accused Nos.2 to 4, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 4(1) (a a), 4(1) (i), 4(1) (A) TNP Act r/w 420 & 471 of IPC in Crime No.890 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor (Crl.side) appearing for the respondent Police.

3.The case of the prosecution is that the petitioners/Accused are said to have been sold the unauthorized alcohol to the de-facto complainant and one Pandi. Hence the defacto complainant lodged the complainant against the petitioners before the respondent police. The respondent police registered a case.

4.The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they are innocent and they have been falsely implicated in this case.

5.The learned Additional Public Prosecutor (Crl.side) submitted that the petitioners have committed serious offence and hence, they opposed for granting anticipatory bail.



6. Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioners, I am 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 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Thirumangalam on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (rupees ten thousand only) each 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 10.30 a.m., for a period of fifteen days and thereafter, as and when required.

[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/-

27/09/2017

/ 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 DISTRICT

3 THE INSPECTOR OF POLICE, PEW, THIRUMANGALAM UNIT, MADURAI DIST,

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.M.ATHILAKSHMI Advocate SR.No.31730

ORDER

IN

CRL OP(MD) No.12848 of 2017

Date : 27/09/2017