



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

Wednesday, the Twenty Seventh day of September Two Thousand
Seventeen

PRESENT

WEB COPY

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

CRL OP(MD) No.12910 of 2017

KASU PANDIYAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING,
THANJAVUR, THANJAVUR DISTRICT.
(IN CR.NO.336/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr. R. KARUNANIDHI Advocate

For Respondent : Mr.A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner apprehends 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 Section 468, 471, 420 of I.P.C., and hence, seeks anticipatory bail.

2.The case of the prosecution is that the respondent police while he was on routine check up he intercepted the liquor bottles. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor submitted that while the respondent police was on routine check up the petitioner was found in liquor bottles and the investigation is pending. He further submitted that there is no previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the nature of the offence alleged, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate Court No.2, Thanjavur District, subject to the following stringent

conditions:-

(i) 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 learned Judicial Magistrate Court No.2, Thanjavur District, and

(ii) The petitioner shall appear before the respondent police, daily at 10.30 a.m. for a period of one week.

(iii) The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

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 NO.2,
THANJAVUR DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING, THANJAVUR,
THANJAVUR DISTRICT.

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

+1. CC to MR. R. KARUNANIDHI Advocate SR.No.31798

JAM/03.10.17/PM-PN/SAR 4 / 2P-6C

ORDER

IN

CRL OP(MD) No.12910 of 2017

Date :27/09/2017