



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

Friday, the Twenty Fourth day of November Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16160 of 2017

AYYAPPAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SWAMIMALAI POLICE STATION,
THANJAVUR DISTRICT
(CRIME NO. 435 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.VEILMUTHUR for
M/S.A.THIRUVADI KUMAR Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

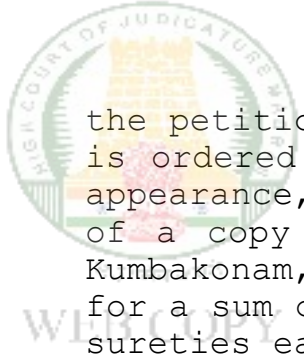
The petitioner / sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(a), 4(1-A) of Tamil Nadu Prohibition Act., in Crime No. 435 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant / Inspector of Police inspected the petitioner and found possession of 10 BLACK KNIGHT brandy bottle, thereby the Police registered a case under the Tamil Nadu Prohibition Act.

3.The learned counsel for the petitioner submitted that he secured the brandy bottles in his own consumption. However, the Law Enforcing Agency registered a case against the petitioner. He further submitted that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that no previous case is pending against him.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to



the petitioner with certain conditions. 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, Kumbakonam, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 shall deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the Cancer Institute, Adyar, Chennai, without prejudice to his defence before the trial Court. On production of receipt of such deposit, the learned Judicial Magistrate, Kumbakonam shall accept the two sureties;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not commit any offence while on bail;

(v) the petitioner shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(vi) the petitioner shall not abscond either during investigation or trial;

(vii) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
24/11/2017

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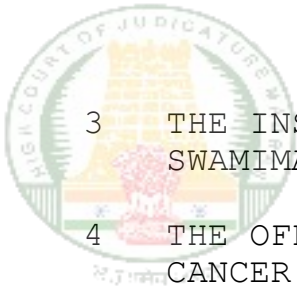
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, KUMBAKONAM

2 THE CHIEF JUDICIAL MAGISTRATE

<https://hcservices.ecourts.gov.in/hcservices/>
THANAVUR DISTRICT AT KUMBAKONAM



3 THE INSPECTOR OF POLICE
SWAMIMALAI POLICE STATION, THANJAVUR DISTRICT

4 THE OFFICER INCHARGE
CANCER INSTITUTE, ADYAR

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

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.35108

ORDER

IN

CRL OP (MD) No.16160 of 2017

Date :24/11/2017

SMA/RR/SAR-1/30.11.2017:3P/7C