



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

Tuesday, the Twenty Eighth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16304 of 2017

RAJADURAI

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KARIAPATTI POLICE STATION, KARIAPATTI,
VIRUDHUNAGAR DISTRICT.
CRIME NO.350 OF 2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.J.CHAKKARAVARTHY 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 :-

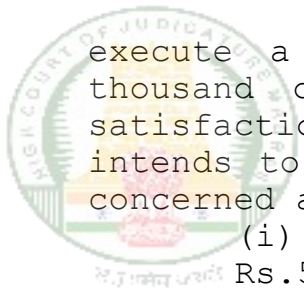
The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Section 4(1)(aaa) of Tamil Nadu Prohibition Act, 1937, in Crime No.350 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that based on the secret information, the respondent police conducted a raid and recovered 12 gunny bags, which contained 600 liquor bottles. Hence, a case has been registered against the petitioner for the aforesaid offences.

3.The learned counsel for the petitioners submitted that the petitioners did not commit any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide any condition imposed by this Court.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that the A1 was arrested and released on bail.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl. Side), I am 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 No.II, Virudhunagar District, on condition that the petitioner shall



execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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.5,000/- (Rupees Five Thousand only) to the Cancer Institute, Adayar, Chennai, without prejudice to his defence before the trial Court and thereafter, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner;
- (ii) the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of four weeks, and thereafter, as and when required for interrogation;
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (v) the petitioner shall not abscond either during investigation or trial;
- (vi) the petitioner shall not commit any offence while on bail;
- (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/-

28/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
KARIAPATTI POLICE STATION, KARIAPATTI, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER IN CHARGE,
THE CANCER INSTITUTE, ADAYAR, CHENNAI.

+1. CC to M/S.S.J.CHAKKARAVARTHY Advocate SR.No.35253

ORDER IN
CRL OP(MD) No.16304 of 2017
Date :28/11/2017