



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

Thursday, the Fourteenth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16938 of 2017

M.KAJENDRAN

... PETITIONER / ACCUSED NO.3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PEW, THIRUMANGALAM UNIT,
THIRUMANGALAM, MADURAI DISTRICT.
(CRIME NO.1419 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.SUNDAR Advocate

For Respondent : M/S.M.MURUGAN, Govt. Advocate (Crl. Side) for
M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

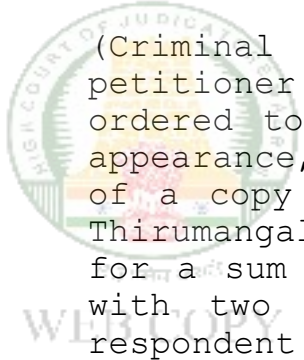
The petitioner, who is arrayed as Accused No.3, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4 (1)(a) and 4(1-A) of TNP Act, in Crime No.1419 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused illegally sold the Pondicherry liquor bottles in the open market. Thereby, the law enforcing agency registered a case against the petitioner and other accused.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he did not commit any offence as alleged by the prosecution. He would further only based on the confession statement of A1 and A2, the law enforcing agency registered a case against the petitioner.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that A1 and A2 were arrested and based on their confession statement, the petitioner was implicated in this case. He would further submit that the learned Sessions Court has already granted bail to A1 and A2.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate



(Criminal 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, Thirumangalam, 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 report before the respondent police, daily at 10.30 p.m., until further orders;

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

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

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

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

(vi) 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/-
14/12/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, THIRUMANGALAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
3. THE INSPECTOR OF POLICE, PEW, THIRUMANGALAM UNIT, THIRUMANGALAM, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.SUNDAR Advocate SR.No.36255

ORDER IN
CRL OP(MD) No.16938 of 2017
Date :14/12/2017