

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

Tuesday, the Nineteenth day of December Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17461 of 2017

SANKAR

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
PEW POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO. 1027/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.MAHARAJAN, Advocate
For Respondent : 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 :-

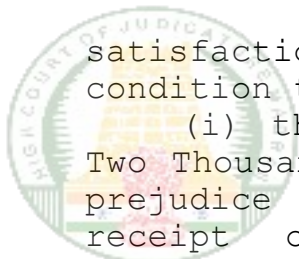
The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(A) TNP Act, in Crime No. 1027 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner purchased the liquor bottles from the TASMACH shop and the same was sold in the open market. Hence, the respondent police registered a case as against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that he did not dispute the facts submitted by the learned counsel for the petitioner.

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, 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, Ambasamuthiram, Tirunelveli District, 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, Ambasamuthiram, Tirunelveli District, 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 himself 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/-
19/12/2017

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, AMBASAMUTHIRAM,
TIRUNELVELI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
3. THE SUB INSPECTOR OF POLICE,
PEW POLICE STATION, TIRUNELVELI DISTRICT,
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE, CANCER INSTITUTE,
ADYAR, CHENNAI.

+1. CC to M/S.V.MAHARAJAN Advocate SR.No.36488

ORDER IN
CRL OP(MD) No.17461 of 2017
Date :19/12/2017