



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

Friday, the Twenty Second day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17770 of 2017

NATARAJAN

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PEW POLICE STATION, THUCKALAY,
KANYAKUMARI DISTRICT.
(CR.NO.778/2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.Y.JAGADEESH Advocate

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

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

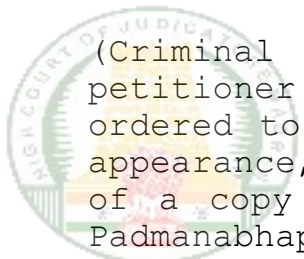
ORDER : The Court Made the following order :-

The petitioner who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1-A) & 14-A of Tamil Nadu Prohibition Act, in Crime No.778 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 27.11.2017, at about 09.00 a.m., when the respondent police conducting vehicle check up, they recovered one litre of rectified spirit from A1 and other accused, thereby, the respondent police registered a case for the aforesaid offences and arrested A1 and remanded him to the judicial custody.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He further submitted that there was no previous case pending against him.

4.The learned Government Advocate (Criminal side) appearing for the State submitted the respondent police recovered one litre of rectified spirit from A1 and other accused. He would further submit that no previous case is pending against him.



(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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Padmanabhapuram, 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 a.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/-

22/12/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PADMANABHAPURAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
PEW POLICE STATION, THUCKALAY, KANYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.Y.JAGADEESH Advocate SR.No.36864

ORDER

IN

CRL OP(MD) No.17770 of 2017

Date :22/12/2017