



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

Wednesday, the Twenty Sixth day of April Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.4778 of 2017

NIRMALA

... PETITIONER / ACCUSED NO:10

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
MANACHANALLUR POLICE STATION,
TRICHY DISTRICT
(CRIME NO. 92 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.CHELLAPANIDAN, Senior Counsel for
M/S.P.BANUPRASATH Advocate

For Respondent : MR.M.B.PUGALENDHI, Additional Advocate General

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.10 in Crime No.92 of 2017 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aaa)r/w.4(1-A) TNP Act, 1937 and 5,6 TNRS Rules, 2000 IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Advocate General for the respondent/State.

3.The case of the prosecution is that on receipt of the information, the Inspector of Police PEW, Adaiyar, Chennai was keeping surveillance at Samayapuram, Manachanallur and Thiruvellarai area. At about 21.30 hours while keeping surveillance near Thiruvellarai Petrol Bunk at Manachanallur-Thuraiyur Highways Road, a lorry bearing registration No.KA.32 A 3699 came from south to north and the same was searched and found 18000 liters of spirit in 516 white plastic cane with capacity of 35 liters each. As per the First Information Report, two persons were arrayed as accused and both of them were arrested and they are still in prison.

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4. Learned counsel for the petitioner would submit that the petitioner name did not find place at the time of registering the First Information Report and the petitioner is no way connected with



the alleged occurrence except to state that she is the wife of the said Emperumal. On the basis of the confessional statement given by the accused, the petitioner has been implicated in this case.

5. Per contra, the learned Additional Advocate General would submit that as per the confessional statement given by the accused, who are the owner and cleaner of the vehicle and on the material collected from the said Emperumal, they were arrested and on the basis of the confessional statement given by them, this petitioner was arrayed as accused and this petitioner is none other than the wife of the said Emperumal, who is proposed to be arrived as accused No.1. Further, he would submit that the materials were kept in a particular place and that place stands in the name of the petitioner. Hence, he prays for appropriate orders.

6. Considering the facts and circumstances of the case, 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 before the learned Judicial Magistrate No.III, Tiruchirapalli and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
26/04/2017

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

TO

1 THE JUDICIAL MAGISTRATE NO III
TIRUCHIRAPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPALLI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE INSPECTOR OF POLICE
MANACHANALLUR POLICE STATION,
TRICHY DISTRICT



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

+2. CC to M/S.P.BANUPRASATH Advocate SR.No.21157,21173

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ORDER

IN

CRL OP(MD) No.4778 of 2017

Date :26/04/2017

SVA/PM/PN/26.04.2017/SAR4/3P/7C