



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.5416 of 2017

LAKSHMIKANTHAN,

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

State rep.by
THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING,
TIRUNELVELI CITY.
(CR.NO.755/2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.RAMESH KUMAR Advocate

For Respondent : Mrs.S.Prabha, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

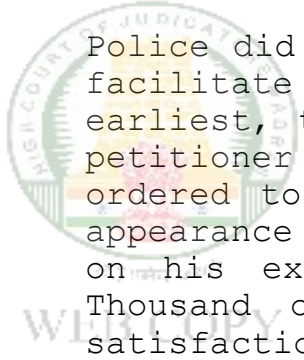
The petitioner, who is arrayed as accused in Crime No.755 of 2016 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aaa), 4(1)(A), 4(1)(1) and 18(B) of TNP Act and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent/State.

3.The learned counsel for the petitioner submitted that A1 and A2 are alleged to have found in possession of 126 brandy bottles of the other State. A1 and A2 were already arrested and remanded to judicial custody. On the confession of A1 and A2, the petitioner is falsely implicated in this case. The petitioner is innocent. He has not committed any offence as alleged in the complaint. He is ready to co-operate with enquiry.

4.The learned Government Advocate appearing for the respondent / Police submitted that this is the second anticipatory bail petition and that the earlier anticipatory petition was dismissed on 13.03.2017. The investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that though the case is of the year 2016 and the earlier anticipatory bail petition was dismissed, the respondent



Police did not take any steps to arrest the accused and in order to facilitate the investigation and to file the charge sheet at the earliest, 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, Srivaikundam 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 conditions 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. The respondent Police is directed to complete the investigation and file the final report within a period of one month.

6.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/-
28/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING,
TIRUNELVELI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.D.RAMESH KUMAR Advocate SR.No.21643

SM:KK:SAR 4:5.5.2017:2P/6C

ORDER
IN
CRL OP(MD) No.5416 of 2017
Date :28/04/2017