



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

Friday, the Tenth day of August Two Thousand Eighteen  
PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14152 of 2018

JEEVA @ SIVA

... PETITIONER / 4<sup>th</sup> ACCUSED

Vs

THE STATE REP.BY  
THE INSPECTOR OF POLICE,  
PEW, DINDIGUL, DINDIGUL DISTRICT.  
(CRIME NO. 465 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.PAKALAVAN Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1) (aa), 4(1-A) of Tamil Nadu Prohibition Act and Sections 420, 468, 471, 476 I.P.C, in Crime No.465 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant, who is the Inspector of Police, while at the time of patrolling, the first accused was found in possession of 48 bottles of Pondichery liquor and 12 bottles of brandy. The second accused was found in possession of 107 bottles of brandy. Based on the confession of A2, A3 was secured. A3 had given a confession statement stating that he bought the same from the petitioner herein.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. He has been falsely implicated in this case. Based on the confession statement of A3 only, this petitioner has been implicated and no contraband has been recovered from this petitioner. He further submits that A1 to A3 already released on bail by the learned Principal District and Sessions Judge, Dindigul. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted totally there are four accused in this case. The petitioner herein is arrayed as A4. Based on the confession of A3, A4 has been implicated in this case.



5.It is seen that no contraband has been recovered from A4. Based on the confession of A3, A4 was implicated in this case. Taking note of the facts and circumstances, 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, Nilakottai 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 for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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 shall stand dismissed.

sd/-

10/08/2018

/ TRUE COPY /

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

MSA  
TO

- 1 THE JUDICIAL MAGISTRATE,  
NILAKOTTAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE,  
DINDIGUL.
- 3 THE INSPECTOR OF POLICE  
PEW, DINDIGUL, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS/MMS/SAR-4:21/08/2018:2P/5C

ORDER

IN

CRL OP(MD) No.14152 of2018

Date :10/08/2018