



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

Thursday, the Twenty Seventh day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.17336 of 2018

D.KANAGASABAPATHY

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PROHIBITION OF ENFORCEMENT WING,
UTHAMAPALAYAM, THENI DISTRICT.
CRIME NO.534/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.JEYAKUMARAN 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 :-

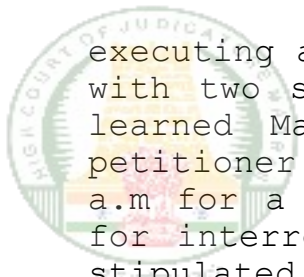
The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1) (aa), 4(1-A) and Section 24 of Tamil Nadu Prohibition Act, in Crime No.534 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the respondent police suspected the vehicle bearing Registration No.TN-38-B-7616 and seized 324 bottles of brandy. Hence, the case has been registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent. He did not commit any offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the said contraband was recovered and there is one previous case pending against the petitioner in similar nature of offence.

5.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 District Munsif Cum Judicial Magistrate, Uthamapalayam 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.

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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/-

27/09/2018

/ TRUE COPY /

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

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
PROHIBITION OF ENFORCEMENT WING,
UTHAMAPALAYAM, THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.J.JEYAKUMARAN Advocate SR.No.18493

ORDER

IN

CRL OP(MD) No.17336 of 2018

Date :27/09/2018

MS/PN/SAR-4/03.10.2018/2P.6C