



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

Wednesday, the Thirteenth day of February Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2287 of 2019

VEERAYYAN @ VEERANAN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PEW DINDIGUL POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO.192/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.J.SATHIARAJ, Advocate
For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

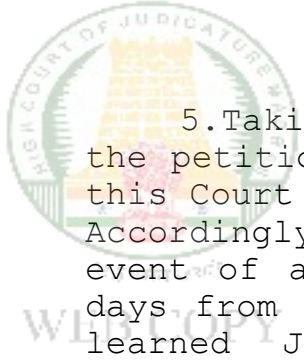
ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 4(1-aaa), 4(1-A) of Prohibition Act and 468, 471 & 476 of IPC, in Cr.No.192 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 06.02.2019 at 9.30 a.m. during the usual rounds of the respondent police party, the accused along with one other person in this case was found in possession of liquor bottles namely 48 brandy bottles each 180 m.l., 96 Honey Bee Brandy Bottles each 180 m.l., 672 Copper Brandy bottles each 180 m.l., Hologram labels and seals without valid licenses. Hence, the case has been registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and she did not commit any offence as alleged by the prosecution. Further, he on instructions submitted that without prejudice to his right, the petitioner is ready to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the Dean, Rajaji Medical College, Madurai, for giving treatment to alcohol addicted persons.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the petitioner was in possession of nearly 816 bottles along with him.



5. Taking into consideration the nature of allegation against the petitioner and also the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Natham, on condition that the petitioner shall execute 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only), by way of Demand Draft to the Dean, Rajaji Medical College, Madurai for giving treatment for alcohol addicted persons before the execution of sureties, failing which this order shall stand automatically vacated without further reference to this Court.

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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 as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

13/02/2019

/ TRUE COPY /

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



TO

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

COPY TO:

THE DEAN,
RAJAJI MEDICAL COLLEGE,
MADURAI.

+1. CC to Mr.J.SATHIARAJ Advocate SR.No.2969

ORDER
IN
CRL OP(MD) No.2287 of 2019
Date :13/02/2019

MS/VR/SAR-3/19.02.2019/3P.7C