



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

Wednesday, the Fifteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP(MD) No.6943 of 2019

P.APPANU @ MAHESWARAN

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PEW POLICE STATION,
PUDUKKOTTAI,
IN CRIME NO.747 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.T.SASIDHARAN TAMILKANI Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1) (aaa) and 4 (1-A) of Tamil Nadu Prohibition Act, in Crime No.747 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.Heard Mr.S.T.Sasidharan Tamilkani, learned Counsel for the petitioner and Mr.A.Robinson, learned Government Advocate (Crl.Side) appearing for the State.

3.The case of the prosecution is that on 01.09.2018, when the respondent police were in routine work, they found that petitioner along with other accused persons transported 720 brandy bottles in vehicle Tata Pick Up bearing registration No.TN 49 BK 6889 and they have no valid license. Hence, the case has been filed by the respondent police.

4.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to this petitioner.



5. The learned Government Advocate (Crl Side) appearing for the respondent Police opposes for grant of anticipatory to the petitioner, since the petitioner is having previous case similar in nature.

6. Taking into consideration the facts and circumstances of the case and also considering the nature of allegation levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions:-

7. Accordingly, the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only), to the account of Patient Welfare Society, District Headquarters Hospital, Pudukkottai District and preferably it can be utilized for the purpose of installation of UPS (inverter) in the Hospital wards depending upon the requirement within the district, on such deposit, the petitioner is ordered to be released on bail in the event of or on his appearance, on 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 Judicial Magistrate No.II, Pudukkottai, and on further conditions that:-

[a] the petitioner as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.

[c] the petitioner shall not tamper the evidence or witness either during investigation or trial.

[d] the petitioner shall co-operate for the investigation and the trial. The petitioner shall not abscond either during investigation or trial and in event of the petitioner absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioner, as per the principles laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-

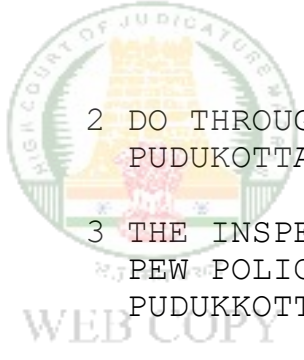
15/05/2019

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

TO

1 THE JUDICIAL MAGISTRATE NO.II,
PUDUKKOTTAI.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI.

3 THE INSPECTOR OF POLICE,
PEW POLICE STATION,
PUDUKKOTTAI.

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

+1 CC to M/s.S.T.SASIDHARAN TAMIL KANI, Advocate (SR-8530[I] dated
16/05/2019)

COPY TO:
THE PATIENT WELFARE SOCIETY,
DISTRICT HEADQUARTERS HOSPITAL,
PUDUKKOTTAI DISTRICT.

ORDER
IN
CRL OP(MD) No.6943 of 2019
Date :15/05/2019

JM/PN/SAR 2/23.05.2019/3P/7C