

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.8234 of 2020

Tamilmani

... Petitioner

Vs.

The State Rep. by
Inspector of Police
Naduveerapattu Police Station,
Cuddalore District
(Crime No. 217/2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail pending investigation in Crime No.217 of 2020 on the file of the respondent police.

For Petitioner : Mr.S.C.Vishwanth

For Respondent : Mr.Mohammed Riyaz

Additional Public Prosecutor

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ORDER

The petitioner/2nd accused, who was arrested and remanded to judicial custody on 14.04.2020 for an offence under Sections 4(1)(a), 4(1)(g), 4(1-A) of Tamil Nadu Prohibition Act in Crime No.217 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that while conducting prohibition raid by the respondent police, the petitioner was in possession of 50 litres of ID Arrack and it was seized by the respondent police.

3. The learned Additional Public Prosecutor submitted that there is no previous case pending against this petitioner.

4. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to this petitioner with certain conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.500/- (Rupees Five Hundred only) directly to the Tamil Nadu Advocate Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157), and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate - I, Cuddalore on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees five 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, failing which, the petition for anticipatory bail shall stand dismissed 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 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.500/- (Rupees Five Hundred only) directly to the to the Tamil Nadu Advocate Clerk Association, Madras High

Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157).

[c] the petitioner shall report before the respondent police, as and when required for interrogation.

[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]**.

[g] If the accused persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

08.06.2020

Internet : Yes/No

ssr

To.

1. The Principal Sessions Judge,
Cuddalore.
2. The Learned Judicial Magistrate No.1,
Cuddalore.
3. The Inspector of Police
Naduveerapattu Police Station,
Cuddalore District .
4. The Public Prosecutor,

High Court, Madras.

N.ANAND VENKATESH,J

SSR



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