

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.8229 of 2020

1) Velu @ Velmurugan

2) Rajendiran

... Petitioners

Vs.

The Inspector of Police,

PEW-Police Station,

Virudhachalam Taluk,

Cuddalore District.

(Cr.No.77 /2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail pending investigation in Crime No.77 of 2020 on the file of the respondent police.

For Petitioner : Mr.S.Saravana Kumar

For Respondent : Mr.Mohammed Riyaz

Additional Public Prosecutor

ORDER

The petitioners, who was arrested and remanded to judicial custody for

an offence under Sections 4(1)(aaa) and 4(1-A) of Tamil Nadu Prohibition Act in Crime No.77 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 petitioners were in possession of 250 litres of ID Arrack and it was seized by the respondent police.

3. The learned Additional Public Prosecutor submitted that one previous case is pending against these petitioners.

4. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to this petitioners with certain conditions. Accordingly, the petitioners are directed to deposit a sum of Rs.1500/- (Rupees Thousand 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 petitioners are 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 No.1, Virudhachalam on condition that the petitioners 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 petitioners 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 petitioners shall deposit a sum of Rs.1500/- (Rupees Thousand 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).**

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

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

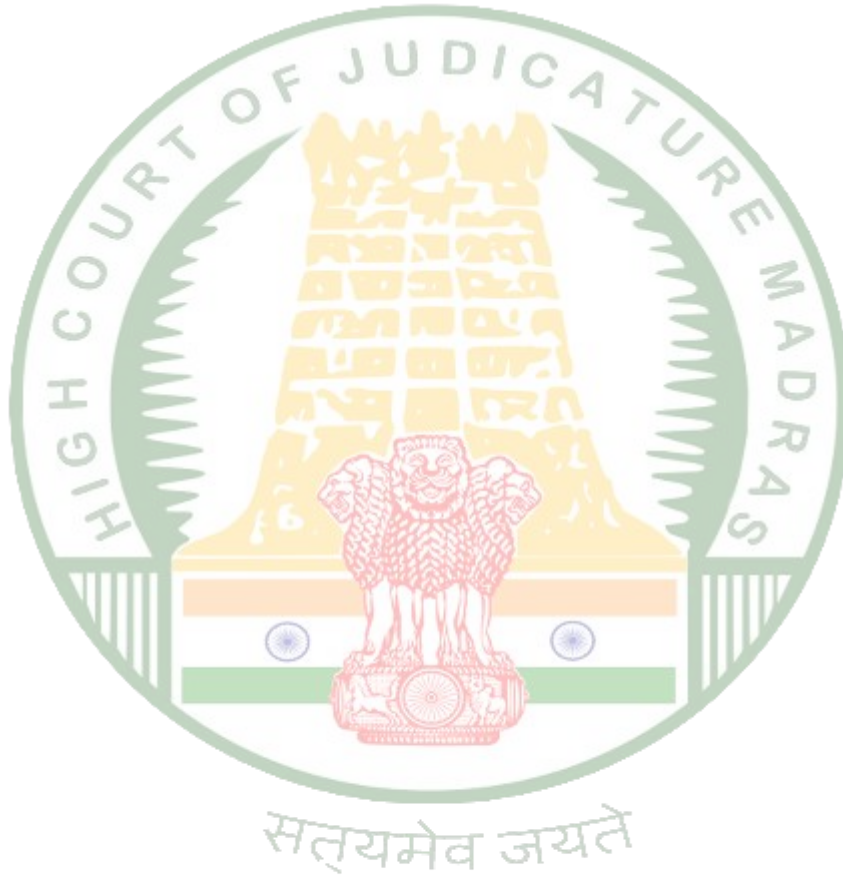
Internet : Yes/No

ssr

To.

1. The Principal Sessions Judge,
Cuddalore.
2. The Learned Judicial Magistrate No.1,
Virudhachalam Taluk.

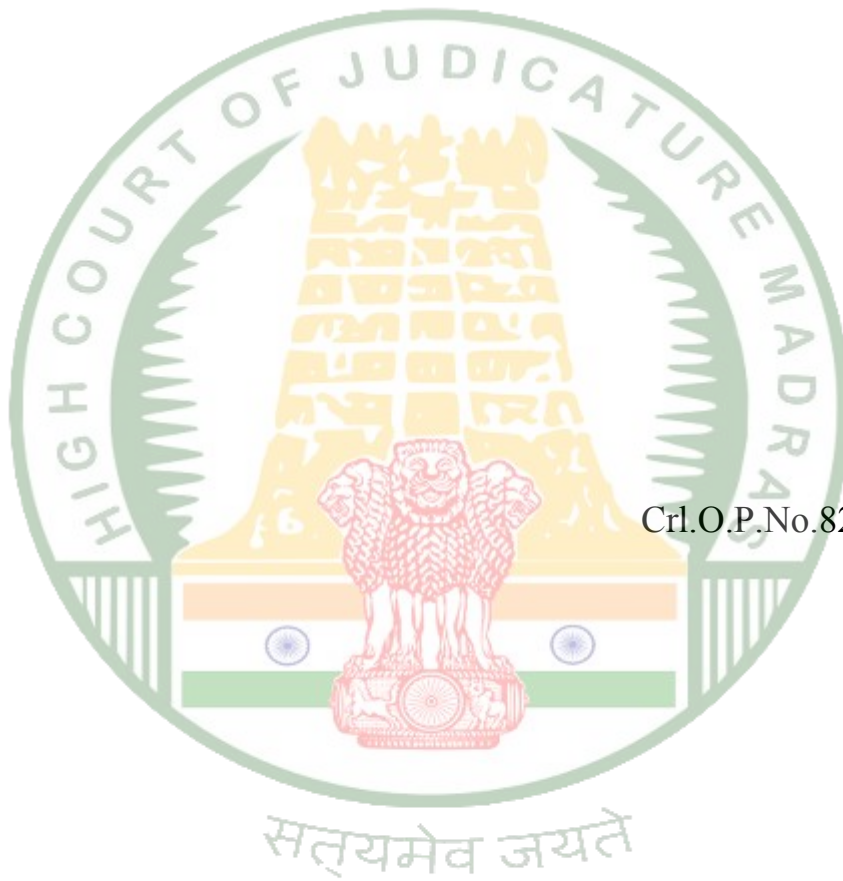
3. The Inspector of Police
PEW-Police Station,
Virudhachalam Taluk,
Cuddalore District..
4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH,J

SSR



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