

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2020

CORAM :

THE HONBLE MR. JUSTICE.N.ANAND VENKATESH

Cr1.O.P.No.8504 of 2020

Neethinayagam @ Murugesan

... Petitioner

VS.

State represented by.

The Inspector of Police,
Namakkal Police Station,
Namakkal District.

(Crime No.272 of 2020)

... Respondent

Prayer :- Criminal Original Petition filed under Section 438 Cr.P.C., to enlarge the petitioner on bail in the event of arrest in Crime No.272 of 2020 the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.Mohammad Riyaz,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1)(aaa) r/w 24 of Tamilnadu Prohibition Act in Crime No.272 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a salesman in the TASMAL shop and he is said to have illegally sold 864 liquor bottles.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that there is no previous case pending against the petitioner.

5. Taking into consideration 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, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate I, Namakkal** on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five thousand only) each 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 report before the respondent police, as and when required for interrogation.

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

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**.

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

-sd/-
11/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.I,
NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

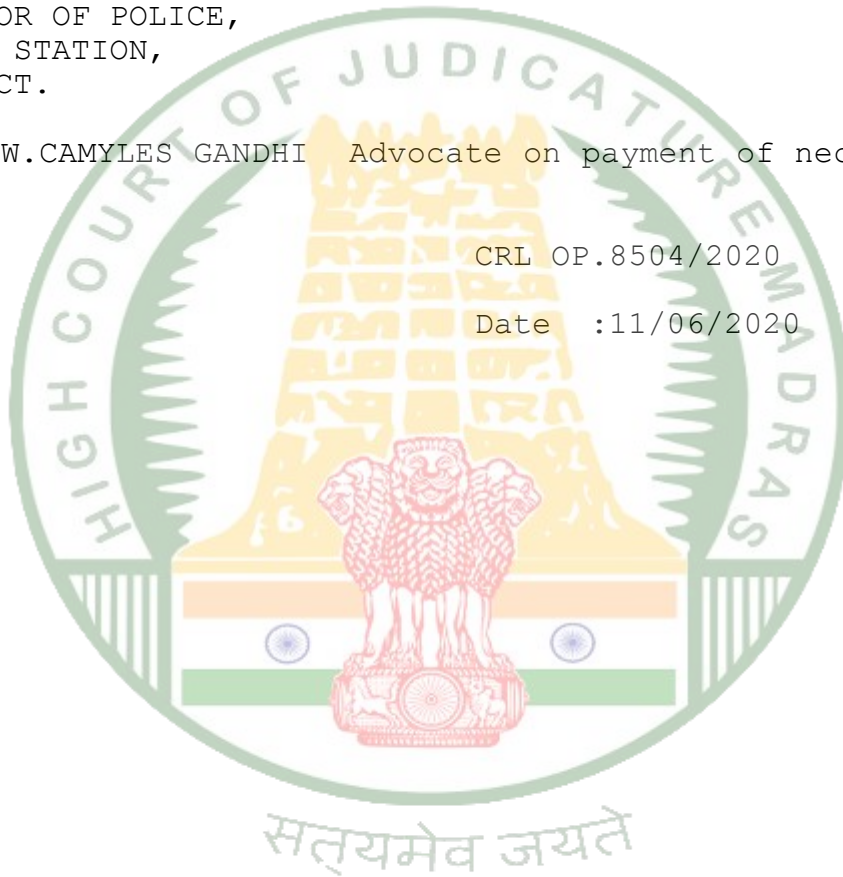
4 THE INSPECTOR OF POLICE,
NAMAKKAL POLICE STATION,
NAMAKKAL DISTRICT.

CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary
charges

CRL OP.8504/2020

Date :11/06/2020

MK:15/07/2020



WEB COPY