



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

Date : 11/12/2020

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD). No.14593 of 2020

WEB COPY

- 1.Periyasamy
- 2.Govindan
- 3.Sathish @ Sathish Kumar
- 4.Venkatesh @ Vekateshwaran
- 5.Prabhakaran
- 6.Maripitchai
- 7.Pandiyarajan
- 8.Rajan @ Thirukanagaraaj

... Petitioners/Accused 6-13

The State represented by
The Inspector of Police,
Pamban Police Station
Ramanathapuram District.
Cr No. 297/2020.

Vs

... Respondent/Complainant

For Petitioners : Mr.D.Balamurugapandi,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No. 297 of 2020 on the
file of the respondent police

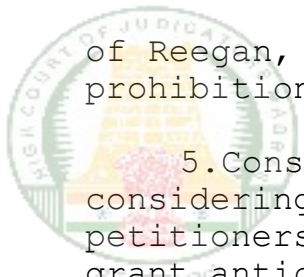
ORDER : The Court made the following order :-

The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 4(1)
(aaa) and 24 of Tamilnadu Prohibition Act, in Crime No.297 of 2020,
on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on the secret
information, Mr.Nagarajan, who is the Sub Inspector of Police
attached to the respondent police station arrested Reagan, who was
in possession of Tasmac Liquor bottles. The petitioners are
implicated as accused in this case on the confession statement of
Reagan. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the
petitioners are TASMAC employees. The petitioners do not know the
other accused, who involved in this case. The petitioners are
innocent persons and they have no bad antecedents.

4.The learned Government Advocate (Crl. Side) appearing for
the respondent police submitted that from the confession statement



of Reegan, it is revealed that the petitioners were also involved in prohibition offence.

5.Considering the facts and circumstances of the case and also considering the fact that the custodial interrogation of the petitioners do not require in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on anticipatory bail, subject to the following conditions:-

[a] the petitioners jointly shall make a non refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Arignar Anna Cancer Institute, Kanchipuram, without prejudice to their rights and contentions before the trial Court.

[b] On such deposit being made, the petitioners 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 learned Judicial Magistrate, Rameswaram, Ramanathapuram District.

[c] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

[d] the petitioners shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[e]the petitioners shall not abscond either during investigation or trial.

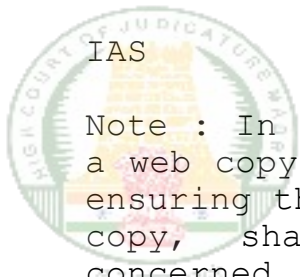
[f]the petitioners shall not tamper with evidence or witness either during investigation or trial.

[g]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].

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

Sd/-
11.12.2020

/ TRUE COPY /



IAS

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

1. The Judicial Magistrate,
Rameswaram,
Ramanathapuram District.
2. -Do- Through The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Inspector of Police,
Pamban Police Station
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Officer In Charge,
Arignar Anna Cancer Institute,
Kanchipuram.

+1 CC to Mr.D.BALAMURUGAPANDI, Advocate (SR-8086[I] dated 11/12/2020)

ORDER

IN

CRL OP(MD) No.14593 of 2020

Date : 11/12/2020

VB RSK SAR 3 (17.12.2020) 3P 7C