

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7014 of 2021

1 SARAVANAN
2 MAHENDRAN

[PETITIONERS / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
VEDARANYAM POLICE STATION,
NAGAPATTINAM DISTRICT.
CR.NO.130 OF 2021.

[RESPONDENT]

For Petitioner : M/S.M.MURALI Advocate

For Respondent : M/S.KRITIKA KAMAL P. Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 420, 468, 471, 473, 485, 486, 120(B) of I.P.C. and Section 4(1)(aaa), 4(1)(h) r/w 4(1-A) of TNP (transport) Act and 5, 7 of Tamil Nadu Rectified Spirit Rules in Cr.No.130 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are arrayed as A1 and A2 in the case and they are alleged to have helped A3 in the preparation of illicit liquor of nearly 70 litres.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. The learned counsel, on instructions, would further submit that the petitioners are ready to deposit the amount that is to be imposed by this Court.

4.The learned Government Advocate submitted that there is no previous case pending against the petitioners.

5.Considering the fact that there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Vedaranyam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 and on further condition that:

(a) the petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) through demand draft drawn in favour of the Director, Adyar Cancer Institute (WIA), W Canal Bank Road, Gandhi Nagar, Adyar, Chennai - 600 020. The challan/ receipt of such payment shall be produced at the time of executing the bond.

(b)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(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 petitioner 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]**; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

15/04/2021

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

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE COURT,
VEDARANYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VEDARANYAM POLICE STATION,
NAGAPATTINAM DISTRICT.

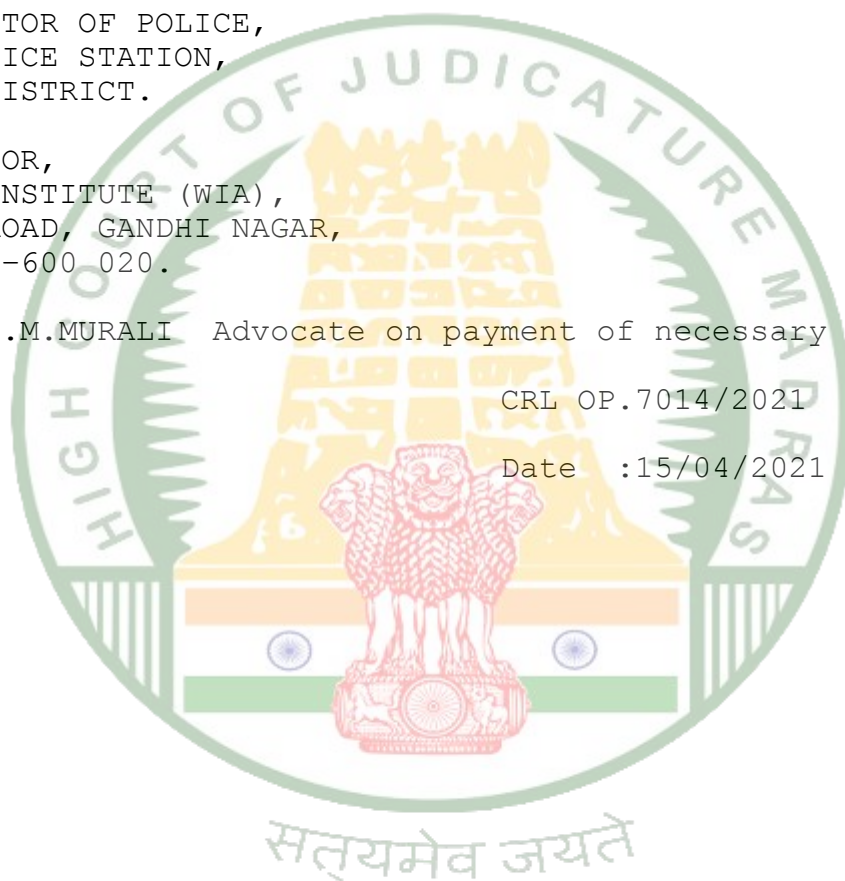
5 THE DIRECTOR,
ADYAR CANCER INSTITUTE (WIA),
W CANAL BANK ROAD, GANDHI NAGAR,
ADYAR, CHENNAI-600 020.

CC to M/S.M.MURALI Advocate on payment of necessary charges

CRL OP.7014/2021

Date :15/04/2021

TA-11/05/2021



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