

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Nineteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7399 of 2021

S.PRABHU

[PETITIONER / ACCUSED]

Vs

THE STATE REPRESENTED BY [RESPONDENT]
INSPECTOR OF POLICE,
P.E.W.PERIYANAICKENPALAYAM POLICE STATION,
COIMBATORE DISTRICT
(CRIME NO.464 OF 2021)

For Petitioner : M/S.C.RAMKUMAR Advocate

For Respondent : MR.T.SHUNMUGARAJESWARAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 4 (1) (aaa) and 4 (1) (a) of Tamil Nadu Prohibition Act in Cr.No.464 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found to be in possession of 3,600 liquor bottles. The petitioner is arrayed as A1 in the case

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

4.Heard the submissions made by the learned Government Advocate.

5.Considering the fact that the petitioner is ready to deposit the amount that is to be imposed by this Court, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate-I, Coimbatore, on condition that the petitioner 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 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 petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) through demand draft drawn in favour of the Medical Officer/Dean, Government Hospital, 1561, Trichy Road, Highways Colony, Gopalapuram, Coimbatore, to enable the Medical Officer/Dean to use the aforesaid amount for the purpose of treating the alcohol influenced patients. The challan/receipt of such payment shall be produced at the time of executing the bond.

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

(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]; and;

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

-sd/-
19/04/2021

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

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE NO.I,
COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
P.E.W.PERIYANAICKENPALAYAM POLICE STATION,
COIMBATORE DISTRICT

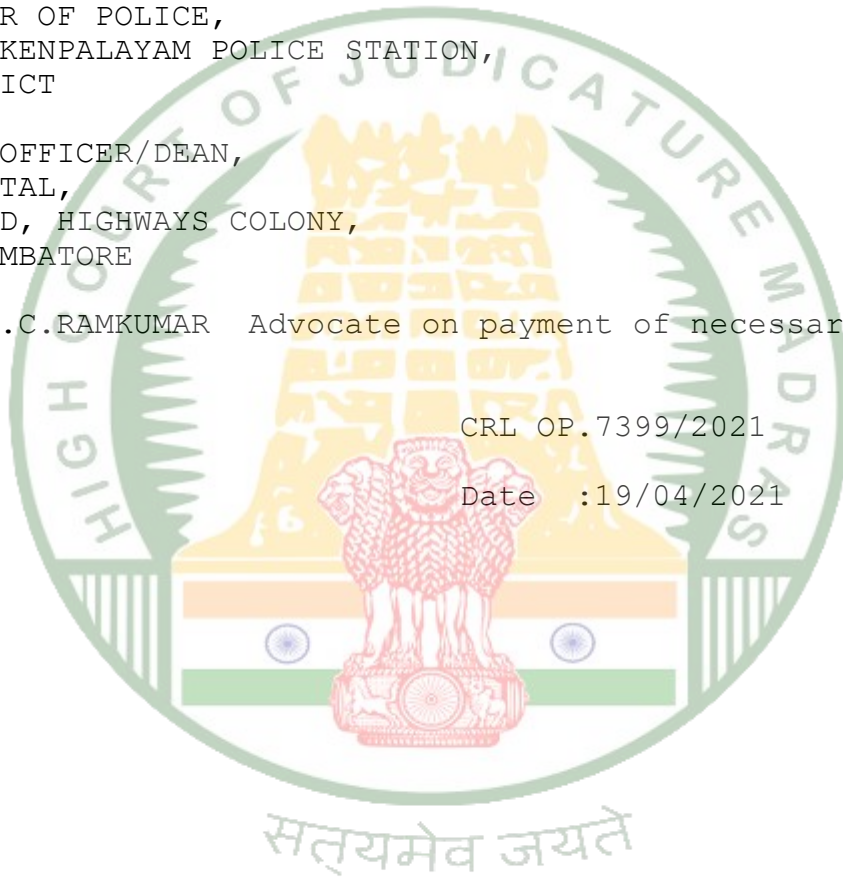
5 THE MEDICAL OFFICER/DEAN,
GOVERNMENT HOSPITAL,
1561, TRICHY ROAD, HIGHWAYS COLONY,
GOPALAPURAM, COIMBATORE

+1CC to M/S.C.RAMKUMAR Advocate on payment of necessary charges
SR NO.5072

CRL OP.7399/2021

Date :19/04/2021

MK:23/04/2021



WEB COPY