

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventh day of June Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.8945 of 2021

1 KANIMOZHI
2 SATHISHKUMAR
3 JEGADEESAN
4 SATHISHKUMAR

[PETITIONERS / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KANGAYAM POLICE STATION,
TIRUPPUR DISTRICT.
CR.NO.206 OF 2021.

[RESPONDENT]

For Petitioner : M/S.S.P.MEENAKSHI SUNDHARAM Advocate

For Respondent : MR.L.BASKARAN, Govt. Advocate (CrI. 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 offence punishable under Section 4(1) (aaa) of Tamil Nadu Prohibition Act in Crime No.206 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is the Supervisor of Tasmac No.3886, Kangayam and the other petitioners are Salesman in the said shop. The 1st and 2nd Accused in the above crime have purchased liquor bottles from the petitioners' shop and sold the same during the election day. Hence a complaint has been registered against them. The petitioners herein are accused 3 to 6 in the above crime.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to them.

4. The Learned Government Advocate appearing for the respondent would submit that totally there are six accused in this case and the accused 1 and 2 were already arrested and released on bail. He would also submit that there is no previous case against these petitioners.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions and costs. 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 on which the order copy made ready, before the Learned Judicial Magistrate, Kangeyam, on condition that 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 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 pay cost of Rs.5,000/- each to Tamil Nadu Covid Relief Fund within a period of two weeks from today i.e. 07.06.2021.

[c] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter 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 thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

07/06/2021

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,
KANGEYAM

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
KANGEYAM POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 TAMIL NADU GOVID RELIEF FUND,
CHENNAI

CC to M/S.S.P.MEENAKSHI SUNDHARAM Advocate on payment of necessary charges sr.6380

सत्यमेव जयते

CRL OP.8945/2021

Date : 07/06/2021

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RVR 14/06/2021