

Crl.O.P.No.9619 of 2021

T.V.THAMILSELVI, J.

Today, the matter is listed under the caption "for being mentioned".

2. It is brought to the notice of this Court that some typographical error has been crept in para No.1 of the order dated 27.05.2021. The said para No1 is to be replaced as follows:

“The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 4(1)g, 4(1)a, 4(1-A)ii of TNP Act in Crime No.201 of 2021, on the file of the respondent police, seek anticipatory bail.”

3. The time for surrender is extended for a further period of three weeks from the date of receipt of a copy of this order. It is made clear that no further extension of time will be granted.

4. Registry is directed to carry out necessary correction in the Order and issue fresh order copy.

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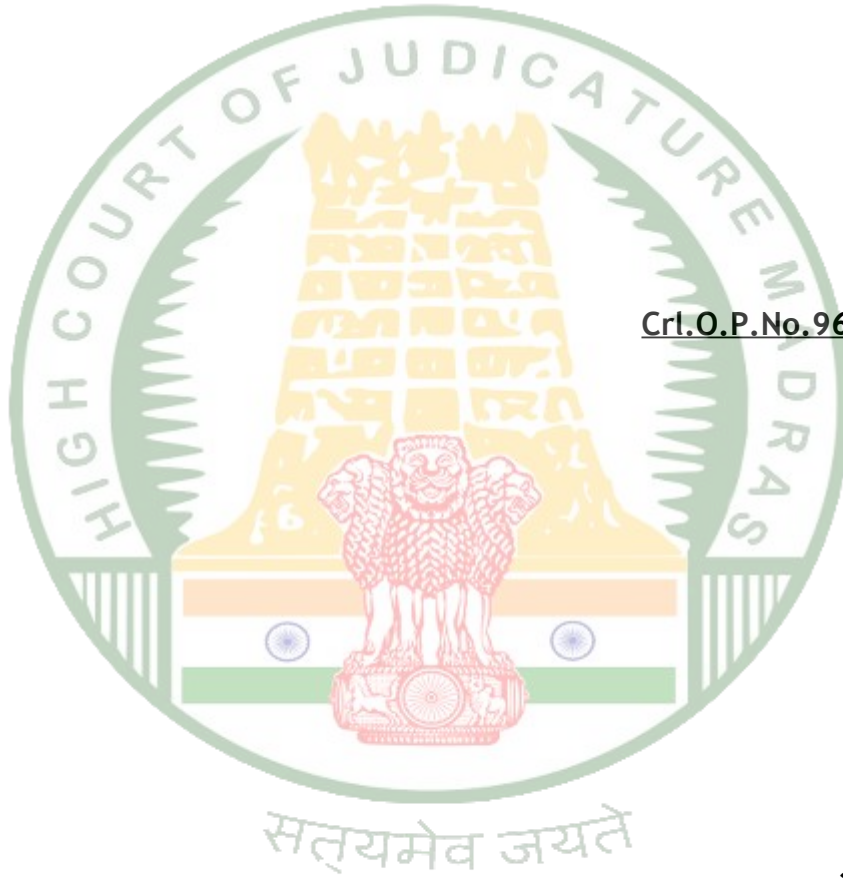
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T.V.THAMILSELVI, J.

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2021

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THE HON'BLE MRS. JUSTICE **T.V.THAMILSELVI**

Crl.OP.No.9619 of 2021

1. Raja
2. Prakash @ Prakash naick
3. Venkatesan

.... Petitioners

Vs.

State rep.by
The Inspector of Police
Vaniyambadi Taluk Police Station,
Vellore District.

..Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in crime No.201/2021, inspector of police Station, Vellore District.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.A.Damodaran
Government Advocate
(Crl.Side)

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)g, 4(1) 1, 4(1-A) ii of TNP Act in Crime No.201 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that while conducting prohibition raid by the respondent police at Vaniyambadi check post, the petitioners were found in possession of 30 litres of Country Arrack and it was seized by the respondent police.

3. The learned counsel appearing for the petitioners submitted that a false case has been foisted against these petitioners and they have nothing to do with the alleged offence.

4. The learned Government Advocate (Crl.Side) submitted that there is no previous case pending against these petitioners.

5. Taking into consideration of the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned

Judicial Magistrate Court, Vaniyambadi, 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 report before the respondent police, as and when required.

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

[d] 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]**.

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

27.05.2021

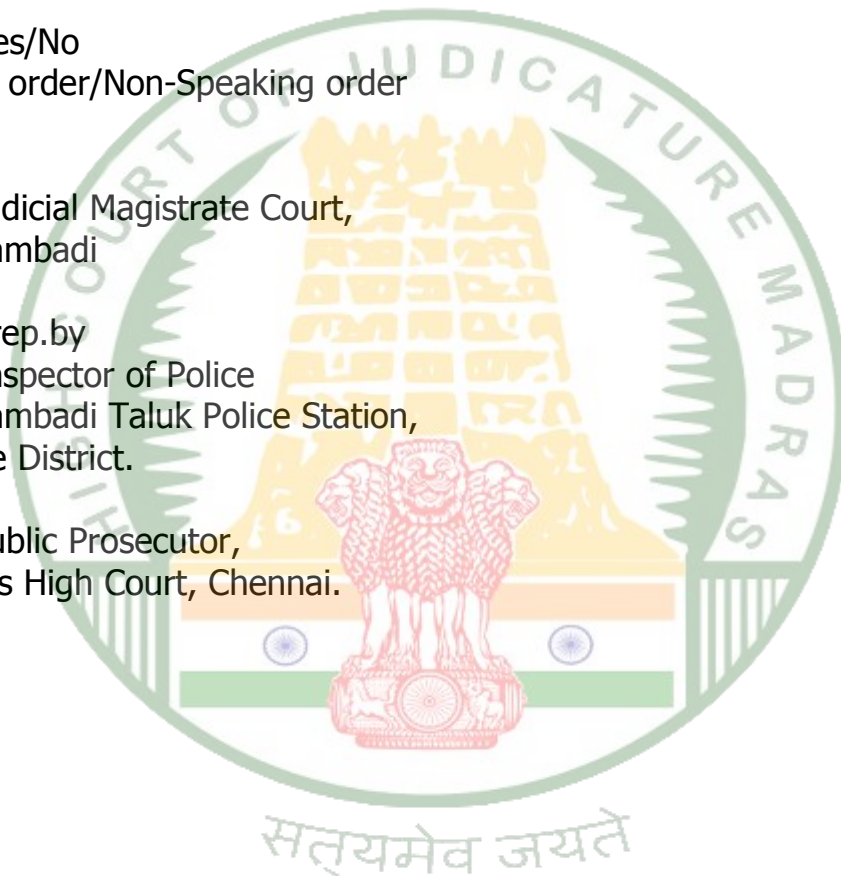
Index: Yes/No

Speaking order/Non-Speaking order

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To

1. The Judicial Magistrate Court,
Vaniyambadi
2. State rep.by
The Inspector of Police
Vaniyambadi Taluk Police Station,
Vellore District.
3. The Public Prosecutor,
Madras High Court, Chennai.

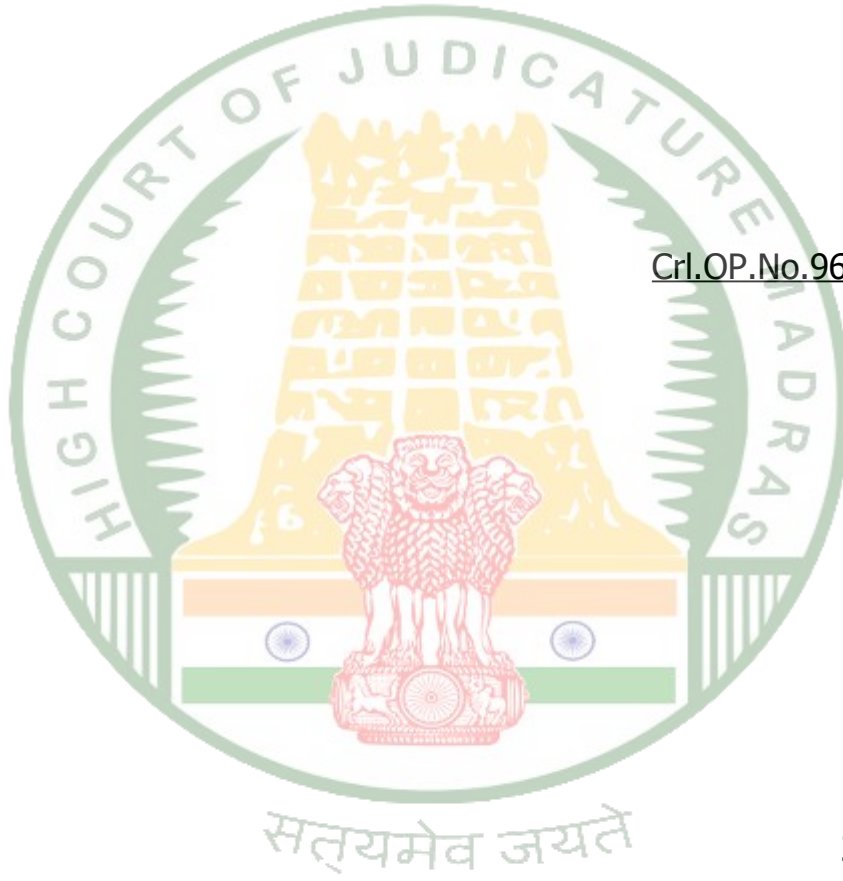


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