

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2021

CORAM

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

Crl.OP.No.9679 of 2021

Raja

... Petitioner

Vs.

State rep.by

The Inspector of Police,
Walajapet Police Station,
Ranipet District.

Crime No.236 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
in Crime No.236 of 2021 on the file of the respondent police.

For Petitioner : Mr.D.Balaji

For Respondent : Mr.A.Damodaran,
GA (Crl.Side)

O R D E R

(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) (a), 4(1-A)ii TNP Act in Crime No.236 of 2021, on the file of
the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner was
found in possession of 10 litres of ID Arrack illegally. Hence the
complaint.

3. The learned counsel appearing for the petitioner would submit
that the petitioner is an innocent person and he has been falsely
implicated in this case. Hence, he prays to grant anticipatory bail
to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the
respondent submitted that the petitioner was found in possession of
10 litres of ID Arrack illegally. He further submitted that there are
14 previous cases pending against the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Walajapet, Ranipet District, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner 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 petitioner shall report before the respondent police as and when required for interrogation.

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

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].

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

-sd/-

27/05/2021

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,
NO.II, WALAJAPET, RANIPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
WALAJAPET POLICE STATION,
RANIPET DISTRICT.

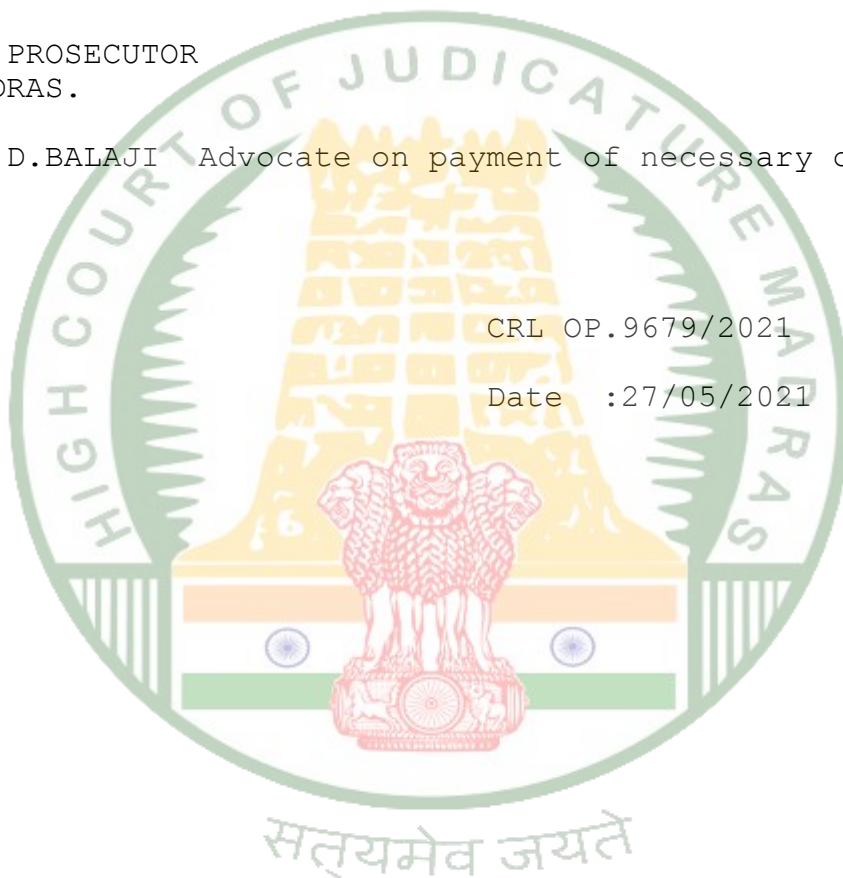
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9679/2021

Date :27/05/2021

RVR 05/07/2021



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