

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2021

CORAM

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

Crl.OP.No.9711 of 2021

Mr.Kuppan

... Petitioner

Vs.

State rep.by
The Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.
Crime No.335 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.335 of 2021 on the file of the respondent police.

For Petitioner : Mr.A.Saranraj

For Respondent : Mr.A.Damodaran,
GA (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) (aaa) and 4(1-A) ii of TNP Act and Sections 6,7 of Tamil Nadu Rectified Sprit Rules 2000 in Crime No.335 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 70 litres of Rectified Sprit 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 70 litres of Rectified Sprit illegally. He further submitted that there is no previous case 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 Court, Cheyyar, Thiruvannamalai 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,
CHEYYAR, TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CHEYYAR POLICE STATION,
TIRUVANNAMALAI DISTRICT.

+1 CC to M/S A.SARANRAJ Advocate on payment of necessary
charges SR.NO.6311

CRL OP.9711/2021

Date :27/05/2021

TA-23/06/2021



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