

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

CrI.O.P.No.10072 of 2021

R.Rajendran

... Petitioner

Vs.

State rep. by its

The Inspector of Police,
Arni Town Police Station,
Tiruvannamalai District.
(Crime No.562 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.562 of 2021, on the file of the respondent.

For Petitioner : Mr.T.Arockia Dass

For Respondent : Mr.L.Baskaran
Government Advocate (CrI.side)

O R D E R

(The case has been heard through video conference)

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Section 4(1) (a) TNP Act, in Crime No. 562 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that while the respondent police were conducting a routine check up at Thachur Road, Kosapalayam nearby a Lake, a vehicle bearing registration No.TN-97-A-7337 was intercepted. While searching the vehicle, the police officials found that the petitioner who was travelling in the vehicle was in possession of 6 litres of ID Arrack.

3. However, according to the petitioner, he is an innocent person and no way involved in the alleged offence. It is also his case that there are no previous cases against him.

4. Heard the learned Government Advocate (CrI. Side) appearing for respondent police.

5. After giving due consideration to the quantity of ID Arrack seized and in view of the fact that the petitioner is not involved in any previous criminal offence, this Court is inclined to grant anticipatory bail to the petitioner subject to the fulfilment of the following conditions.

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 lifting of lock down or the commencement of Courts normal functioning whichever is earlier, before the learned Judicial Magistrate, Arani, 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 should pay a sum of Rs.5,000/- (Rupees Five Thousand Only) towards the Covid Relief Fund, in favour of the District Medical Officer, Tiruvannamalai, within a fortnight from the date of receipt of a copy of this order either by way of Demand Draft (DD) or by fund transfer;

[b] 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.

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

[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].

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

-sd/-
09/06/2021

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,
ARANI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ARNI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE DISTRICT MEDICAL OFFICER,
TIRUVANNAMALAI.
(THE COVID RELIEF FUND)

+1CC to M/S.T.AROCKIA DASS Advocate on payment of necessary charges SR NO.6423

CRL OP.10072/2021

MK:18/06/2021

Date :09/06/2021

WEB COPY