



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice TV. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.14540 of 2021

1 REVATHI
2 NIRMALA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
THIRUVANNAMALAI TALUK POLICE STATION,
THIRUVANNAMALAI DISTRICT.
(CRIME NO.283/2021)

[RESPONDENT]

For Petitioner : M/S.R.BALAKRISHNAN Advocate

For Respondent : Mr.L.Baskaran, Government Advocate (Crl.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 alleged offences punishable under Sections 4(1)(aa) r/w 4(1-A) ii of TNP Act, in Crime No.283 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were found in possession of 60 litres of I.D. Arrack. Hence, a case was registered against the petitioners.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that A1 was arrested and released on bail, therefore he is not pressing for A1 and as far as A2 is concerned, he is ready to oblige by the order of this Court.

4. The learned Government Advocate (Crl.side) would submit that the petitioners were found in possession of 60 ltrs of ID Arrack. He would also submit that A2 has 3 previous cases against her. Hence, he opposed for grant of anticipatory bail to A2.



5. Since, A1 is not pressing application for anticipatory bail, the petition is dismissed as not pressed. Properties were seized and send for chemical examination. Taking into consideration the facts of the case and the submissions made by the learned counsels for A2, this Court is inclined to grant anticipatory bail to A2 alone subject to the following conditions:

6. The petitioner/A2 is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of **Registered Advocate Clerk Association, Tiruvannamalai**, and on such deposit A2 is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Thiruvannamalai on condition that the petitioner/A2 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 petitioner/A2 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/A2 shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of **Registered Advocate Clerk Association, Thiruvannamalai**.

[c] the petitioner/A2 shall report before the respondent police as and when required for interrogation.

[d] the petitioner/A2 shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner/A2 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/A2 in accordance with law as if the conditions have been imposed and the petitioner/A2 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/-
15/09/2021

WEB COPY

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, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
THIRUVANNAMALAI TALUK POLICE STATION,
THIRUVANNAMALAI DISTRICT.

5 THE REGISTERED ADVOCATE CLERK ASSOCIATION,
TIRUVANNAMALAI.

+1 CC to M/S.R.BALAKRISHNAN Advocate on payment of necessary charges SR.NO.10122

CRL OP.14540/2021

Date :15/09/2021

TA-24/09/2021