

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2021

CORAM

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

CrI.O.P.No.10724 of 2021

L.Anbarasan,
S/o.Lakshmi Narayanan

... Petitioner

Vs.

The State rep.by
The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District.
Crime No.159 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.159 of 2021 on the file of the respondent police.

For Petitioner : Mr.M.P.Yuvaraj

For Respondent : Mr.L.Baskaran,
Government Advocate,
Criminal 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), 4(1-A), 4(1)(9), 14A of TN Prohibition Act and 328, 465, 468 and 471 of Indian Penal Code in Crime No.159 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner and the other accused were found in illegal possession of 180 ml fake Black Pearl Brandy 40 bottles. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is ranked as A2 and the main accused/A1 is involved in this case. He would further 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 is working in the factory manufacturing fake brandy. He further submitted that there is no previous cases pending against the petitioner.

5. Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to 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 four weeks from the date of normal functioning of the Court below, (i.e.,) before the learned District Munsif cum Judicial Magistrate, Kurinjipadi, on condition that the each of 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 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 daily at 10.30 a.m. for a period of two weeks and thereafter 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 abscond/s, a fresh FIR can be registered under Section 229A IPC.

06.07.2021

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order
ub

To

1.The District Munsif cum Judicial Magistrate, Kurinjipadi.

2.The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District.

3. The Public Prosecutor,
Madras High Court,
Chennai.

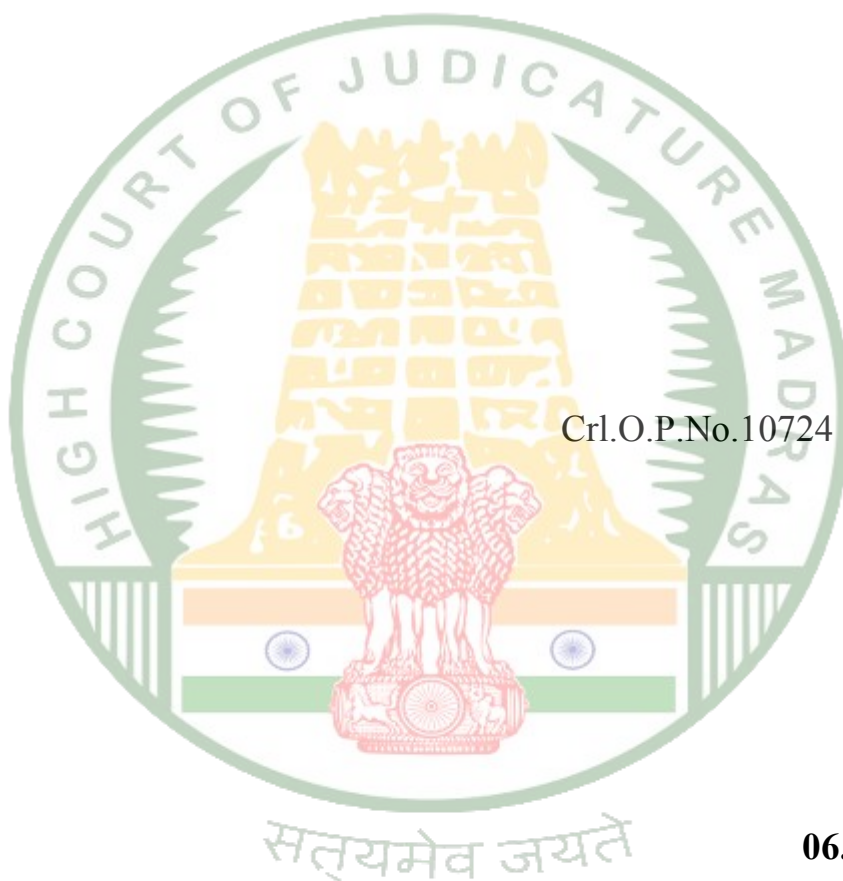


WEB COPY

CrI.OP.No.10724 of 2021

T.V.THAMILSELVI, J.

ub



CrI.O.P.No.10724 of 2021

06.07.2021

WEB COPY