



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Friday, the Twenty Seventh day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15510 of 2021

1 CHINNATHAMBI  
2 KAPPAL @ MURUGAN  
3 KESAVAN

[ PETITIONERS / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
THIMMAMPETTAI POLICE STATION,  
THIMMAMPETTAI,  
THIRUPATHUR DISTRICT.  
(CRIME NO.101/2021)

[ RESPONDENT ]

For Petitioner : M/S G.VINODHKUMAR Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate ( Cr1. Side)

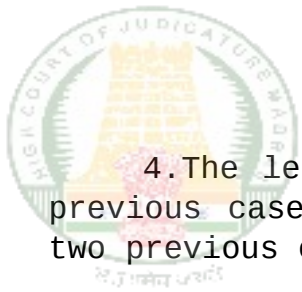
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 4(1)(g), 4(1)(aaa), 4(1-A)(ii) of TNP Act in Cr.No.101 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are alleged to have been found in possession of 5000 litres of Ural and 600 litres of country made liquor. The petitioners are arrayed as A1 to A3.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. The learned counsel, on instructions, further submitted that the petitioners are ready to deposit a sum of Rs.1 Lakh to the Chief Educational Officer, Thirupathur District for construction of toilet in the Government Girls Higher Secondary Schools in the said District.



4.The learned Government Advocate submitted that there are three previous cases as against A1, four previous cases as against A2 and two previous cases as against A3.

5.Considering the fact that the petitioners are ready to deposit a sum of Rs.1 Lakh to the Chief Educational Officer, Thirupathur District for construction of toilet in the Government Girls Higher Secondary Schools in the said District, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vaniyambadi on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 and on further condition that:

(a)The petitioners shall make a non-refundable deposit of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of the Chief Educational Officer, Thirupathur District for construction of toilet in the Government Girls Higher Secondary Schools in the said District under necessary acknowledgment, without prejudice to his defence before the trial court and submit proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the receipt/ acknowledgment shall accept the sureties furnished by the petitioners;

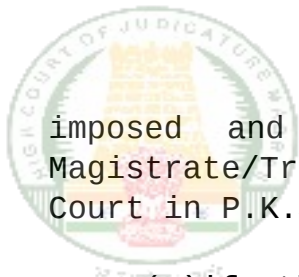
(b)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners 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 petitioners in accordance with law as if the conditions have been



imposed and the petitioners 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]; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7.The Chief Educational Officer shall submit the necessary proof with regard to the expenditure incurred and works that were done for the improvement/ rehabilitation of the schools in the District before the Director of School Education as and when such works are completed by utilising the money as ordered by this Court.

-sd/-

27/08/2021

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,  
VANIYAMBADI.

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE DISTRICT.[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
THIMMAMPETTAI POLICE STATION,  
THIMMAMPETTAI, THIRUPATHUR DISTRICT.

5 THE CHIEF EDUCATIONAL OFFICER,  
THIRUPATHUR DISTRICT.

+1 CC to M/S G.VINODHKUMAR Advocate on payment of necessary charges SR.NO.9315

CRL OP.15510/2021

Date :27/08/2021