



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

Thursday, the Eleventh day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.20651 of 2021

ANBHUMANI

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
T.PALUR POLICE STATION,
ARIYALUR DISTRICT.
CRIME NO. 574/2021

[RESPONDENT]

For Petitioner : M/S. ILAYARAJA KANDASAMY Advocate

For Respondent : MR. N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offences punishable under Sections 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act in Crime No.574 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in possession of 10 bottles of Brandy. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Mr.N.S.Suganthan, the learned Government Advocate appearing for the respondent submitted that there are 3 previous cases pending against the petitioner. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Jayamkondan, 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 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 on every Monday and Wednesday at 10.30 a.m., for a period of four 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

11/11/2021

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,
NO.I, JAYAMKONDAN



2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
T.PALUR POLICE STATION,
ARIYALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. ILAYARAJA KANDASAMY Advocate on payment of necessary
charges Sr.12725

CRL OP.20651/2021

Date :11/11/2021

RVR 15/11/2021