



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.25438 of 2021

Meena

... Petitioner

Versus

State Rep by
Station House Officer,
PEW- Villupuram Police Station,
Villupuram District.
(Crime No.786 of 2021)

... Respondent

Prayer:-Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioner on anticipatory bail in the event of her arrest in Crime No.786 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr. K. Kannan

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

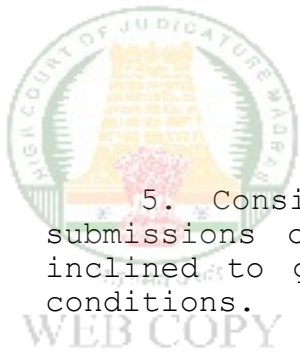
ORDER

The petitioner, who apprehends arrest for the alleged offences under Sections 4(1)(aa), and 4(1-A) of TN Prohibition Act, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the respondent on their routine rounds near the petitioner house, they found there the water pots filled with spirits. Hence, the case was registered against the petitioner.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner as she shall abide by any condition imposed by this Hon'ble Court.

4.The learned Government Advocate (Crl.side) submits that the petitioner has filled with spirit in the water pot for illegal sale to others and the case is under investigation. Hence, he opposed for grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and submissions of the learned counsel of either side, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate No.1, Villupuram, Villupuram District*, on condition that the petitioner 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 petitioner 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;

(b) the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m. until further orders and as and when required for interrogation and the petitioner shall appear before the respondent police 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 anticipatory 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;

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

-sd/-

23/12/2021

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, VILLUPURAM, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE STATION HOUSE OFFICER,
PEW VILLUPURAM POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S KANNAN K. Advocate on payment of necessary charges
SR.NO.15610

CRL OP.25438/2021

Date :23/12/2021

CSK 05/01/2022