



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

Tuesday, the First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.4855 of 2022

RAM @ RAMU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
R-10, MGR NAGAR POLICE STATION,
CHENNAI.
(IN CRIME NO.57/2022)

[RESPONDENT]

For Petitioner : M/S.A.VEERAN Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (CrI. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest by the respondent police in connection with the case registered in F.I.R., No.57 of 2022 on 23.01.2022 is before this Court seeking anticipatory bail.

2. The First Information Report registered by the respondent police indicates that on 23.01.2022 at 15.45 hrs, when the respondent police on the specific information that the accused is involved in selling illicit arrack, went for raid and found the accused No.1 was illegally in possession of (1) MC Dowell-41 No's (Each 180ml) (2) MC Dowell-8 No's (Each 375ml) (3) Honey Day Brandy-24 No's (Each 180 ml) and on further enquiry he stated that on the instructions of Accused No.2, the above mentioned liquor bottles were kept in his possession.

3. The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. Taking note of the above, this court is inclined to grant anticipatory bail to the petitioner.



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned XXIII Metropolitan Magistrate on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand Only), with two sureties, each for a like sum to the satisfaction of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, failing which the anticipatory bail shall stand canceled 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 within seven days from the receipt of a copy of this order and continue to report daily at 10.30 a.m until for further orders 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]; and;

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

-sd/-

01/03/2022

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.



1 XXIII METROPOLITAN MAGISTRATE,
SAIDAPET, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE,
CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
R-10, MGR NAGAR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.VEEERAN Advocate on payment of necessary charges
Sr.3278

CRL OP.4855/2022

Date :01/03/2022

RVR 07/03/2022