



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventeenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6253 of 2022

SAKTHIVEL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ARCOT TOWN POLICE STATION,
RANIPET DISTRICT.
CRIME NO.41 OF 2022.

[RESPONDENT]

For Petitioner : M/S. S.THIRUGNANAM Advocate

For Respondent : MR.S.SANTHOSH, 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 under Sections 4(1)(a), 4(1-A)(ii) of Tamil Nadu Prohibition Act in Crime No.41 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner is an absconding accused in the case, where seven bottles of MGM DIAMOND RUM were recovered from the co accused and the case of the prosecution is that, those bottles were opened and emitting poisonous odour indication some substances has been added for more intoxication, the samples drawn has been sent to analyses and the analysis reports were awaited.

3. Considering the gravity of the offence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



4. 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 Judicial Magistrate, Arcot, Ranipet District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 and on further condition that:

(a) the petitioner and the sureties shall affix his 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Gudiyatham Town police station daily at 10.30 a.m. until further orders;

(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 has 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/-
17/03/2022

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.

TO

1 THE JUDICIAL MAGISTRATE,
ARCOT, RANIPET DISTRICT.



2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ARCOT TOWN POLICE STATION,
RANIPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
GUDIYATHAM TOWN POLICE STATION,
GUDIYATHAM.

+1 CC to M/S. S.THIRUGNANAM Advocate on payment of necessary
charges SR.NO.4216

CRL OP.6253/2022

Date :17/03/2022

JPA 23/03/2022