



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fifth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6850 of 2022

RAJKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
TIRUPUR PEW,
TIRUPUR DISTRICT.
CR.NO.262/2022.

[RESPONDENT]

For Petitioner : M/S. K.RAJENDIRAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Cr1. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A4, who apprehends arrest for the alleged offence under Sections 4(1)(a), 4(1)(g), 4(1-A) of Tamil Nadu Prohibition Act in Crime No.262 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side).

3. From the F.I.R., this Court finds that three persons were found in possession of illicit arrack and the other ingredients for distilling arrack. Based on their statement, this petitioner is wanted in this case. According to the statement of the arrested accused, they were involved in illicit distilling of arrack at the instance of the petitioner.

4.Learned Government Advocate (crl side) states that there is no bad antecedence or previous case or similar nature case against this petitioner.



5. In the light of the above fact, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. 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, Avinashi**, 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 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 Investigating Officer as and when required;**

(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/-
25/03/2022

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 THE JUDICIAL MAGISTRATE,
AVINASHI, TIRUPPUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
TIRUPUR PEW,
TIRUPUR DISTRICT.

+1 CC to M/S. K.RAJENDIRAN Advocate on payment of necessary
charges SR.NO.4530

CRL OP.6850/2022

Date :25/03/2022

TA-30/03/2022