



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirty First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7373 of 2022

1 MANI
2 NAVEENA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
THIRUPPATHUR, THIRUPPATHUR DISTRICT.
(CR.NO.157 OF 2021)

[RESPONDENT]

For Petitioner : M/S.M.MACHAVATHARAN Advocate

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

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

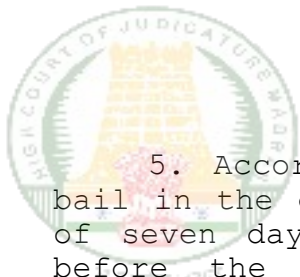
ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1) (aaa) r/w. 4(1-A)(ii) of Tamil Nadu Prohibition Act, in Crime No.157 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The petitioners apprehending arrest in connection with the case registered by the respondent police for recovery of 145 litres of ID arrack from the back yard of the petitioner house.

3. According to the prosecution the first petitioner is having one previous case of this in nature.

4. Considering the fact that the recovery was not from the petitioners herein,, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Thiruppathur, on condition that the petitioners shall execute separate bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners 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;

(c) the petitioners shall report before the Investigating Officer as and when required for an interrogation ;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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

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

-sd/-
31/03/2022

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,
NO.II, THIRUPPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PROHIBITION ENFORCEMENT WING,
THIRUPPATHUR, THIRUPPATHUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.No.5015

CRL OP.7373/2022

Date :31/03/2022

CSK 06/04/2022