



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8155 of 2022

Anantharaj @ Anantharaju

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Keezhaiyur Police Station,
Nagapatptinam District.
(Crime No.87 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.87 of 2022 pending on the file of the respondent police.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested for the alleged offences under Sections 4(1)(aaa) read with 4(1-A) TNP Act in Crime No.87 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein is alleged to have been found in possession of 110 litres of Pondicherry arrack. Hence, he was arrested on 13.03.2022.

3.Learned Additional Public Prosecutor appearing for the respondent opposed granting bail to the petitioner on the ground that the petitioner is having two previous cases. However, the learned counsel for the petitioner states that since he has pasted the posters condemning the highhandedness of the local Sub Inspector of Police, he has been foisted in this case.



4. Considering the rival submission and the alleged quantity of I.D arrack, this court is inclined to grant bail subject to the following conditions;

(a) 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 learned Judicial Magistrate Court No.II, Nagapattinam;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the Investigating Officer daily at 10.30 a.m. until further orders.

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

(e) on breach of any of the aforesaid conditions, the learned Judicial 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];

Dr.G.JAYACHANDRAN, J.
vri/jai

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

-sd/-

07/04/2022

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, NAGAPATTINAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM DISTRICT. [FOR INFORMATION]



3 THE OFFICER INCHARGE,
DISTRICT PRISON, NAGAPATTINAM.

4 THE INSPECTOR OF POLICE,
KEEZHAIYUR POLICE STATION,
NAGAPATTINAM DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S P.MUTHAMIZHSELVAKUMAR Advocate on payment of necessary
charges

CRL OP.8155/2022

Date :07/04/2022

RW 08/04/2022