



Crl.O.P.No.10558 of 2022

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G.CHANDRASEKHARAN, J.

The petitioner, who apprehends arrest for the alleged offences **under Section r/w. 4 (1) (aaa), 4 (1-A), of Tamil Nadu Prohibition Act** in Crime No.520 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. Heard the submissions of both the counsel appearing for parties.

3. It is seen from the submission that, petitioner is third accused in Crime No.55 of 2022 in Padalam Police station, Chengalpet District, and he is first accused in Crime No.520 of 2021 in Padalam Police station, Chengalpet District. In both the cases, it is submitted that properties had been seized. In Crime No.55 of 2022, the co-accused had been arrested and released in bail.

4.Learned counsel for the petitioner submitted that, both the cases had been falsely registered against the petitioner and he has no other case pending against him.



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5. In response, learned Government Advocate (Criminal Side) submitted that petitioner involved in two cases, there is no other case is reported against him.

6. Considering the fact that, in both the cases properties have been seized in Crime No.55 of 2022, co-accused had been arrested and released on bail and apart from these two cases there is no other cases reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is 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 **Judicial Magistrate Court No.1, Chengalpet**, 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 Investigating Officer 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.

05.05.2022

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