



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10585 of 2022

P.M.DEEPASAMY @ VINOTH

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE

P.E.W, DHARMAPURI & DISTRICT.

(*)CR.NO.263 OF 2021.

For Petitioner : M/S.R.PRABUDOSS Advocate

For Respondent : M/S.J.SUBBIAH, Govt. Advocate (Crl. Side)
(Crl.OP.No.10585/2022)

For Respondent : M/S.V.J.PRIYADARSANA, Govt. Advocate (Crl. Side)
(Crl.M.P.No.6908/2022 in Crl.OP.No.10585/2022)

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)(aaa) and 4(1-A)(i) of TN Prohibition Act and Sections 468, 471, 420 & 109 of IPC in **(*)Crime No.263 of 2021**, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that petitioner along with other accused alleged to have manufactured liquor without valid license.

3. Heard the learned counsel appearing for both the parties.

4. It is seen from the submissions of the learned counsel appearing for the parties that the allegation against this petitioner is that he took A1 to A3 to procure spirit for preparation of liquor. It is also submitted that co-accused has been arrested and released on bail. This First Information Report was registered on 22.02.2022 and



by this time, material part of investigation in this case might have been over. Therefore, this Court is of the view that the custodial interrogation of the petitioner is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

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5. 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 No.II, Dharmapuri District on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-only (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.

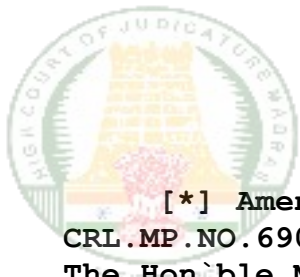
-sd/-

06/05/2022

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.



**[*] Amended as per order of this Court dated 07/06/2022 made in
CRL.MP.NO.6908 OF 2022 IN CRL.OP.No.10585 OF 2022 By
The Hon`ble Mr Justice G.K.ILANTHIRAIYAN.**

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TO

1 THE JUDICIAL MAGISTRATE,
NO.II, DHARMAPURI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
P.E.W,
DHARMAPURI AND DISTRICT.

+1 CC to M/S. R. PRABUDOSS Advocate on payment of necessary
charges SR.NO.8602

CRL OP.10585/2022

Date :06/05/2022

TA-12/05/2022

TA-10/06/2022