



Crl.O.P.No.10602 of 2022

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G.CHANDRASEKHARAN, J.

The petitioner, who apprehends arrest for the alleged offences **under Section 4 (1) (aa), 4 (1-A) (ii), of Tamil Nadu Prohibition Act** in Crime No.98 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that, on 10.04.2022 at 01.30.p.m, petitioner/accused was preparing to sell the liquor behind his house. Respondent seized alcohol to the quantity of 55 litres.

3.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.

4.In response, learned Government Advocate (Criminal Side) submitted that there is no other case is reported against the petitioner.

5. Considering the fact that properties have been seized and there is no



other cases reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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, Tiruvannamalai**, 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



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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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