



4. The learned Additional Public Prosecutor submitted that the contraband involved in the case is worth a huge amount of Rs.7,00,000/-. He would further submitted that the petitioner belongs to Rajasthan State and if he is granted anticipatory bail, he will not be available for interrogation or Trial and hence, he strongly opposed for grant of anticipatory bail to the petitioner.

5. Replying to the same, the learned counsel appearing for the petitioner submitted that, the petitioner will co-operate for investigation and he is ready and willing to provide two responsible local sureties.

6. Considering the facts and circumstances of the case and also taking note of the fact that the entire contraband has been recovered and also taking into account the willingness of the petitioner to deposit a sum of Rs.2,00,000/- and the assurance to co-operate for investigation and Trial and to produce two responsible local sureties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, this Criminal Original Petition is allowed on condition that

i) the petitioner shall deposit a sum of Rs.2,00,000/- (Rupees two lakhs only) to the credit of Crime No.1185 of 2021, without prejudice to his rights and contentions before the Trial Court and produce the receipt/acknowledgement before the Judicial Magistrate, Rasipuram, Namakkal District.

ii) On production of such receipt/acknowledgement, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rasipuram, Namakkal District on condition that the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two responsible local sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before respondent police daily at 10.30 a.m and 6.00 p.m until further orders and he shall cooperate for investigation.



[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
01/06/2022

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,
RASIPURAM, NAMAKKAL DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
RASIPURAM POLICE STATION,
RASIPURAM, NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.PRAKASAM Advocate on payment of necessary charges
SR.NO.8456

CRL OP.13055/2022

Date :01/06/2022

JPA 06/06/2022