



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13189 of 2022

S.IMRANKHAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING (PEW)
ANNA NAGAR, CHENNAI-600 040.
(CR NO.316 OF 2022)

For Petitioner : M/S.M.SASIKUMAR Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

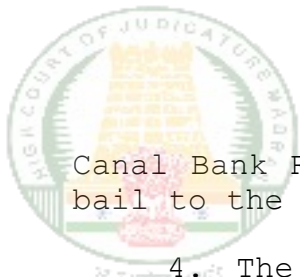
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 4(1)(aaa), 4(1)(i) & 24 of TNP Act and Section 143 of IPC in Crime No.316 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that based on the secret information received by the respondent police on 21.05.2022, they conducted a raid in the 4th floor of the V.R. Mahal at Jawaharlal Nehru Road, Thirumangalam, wherein they found 300 persons gathered and conducted a liquor party without any prior permission. During enquiry, it reveals that accused persons had supplied liquor from the Madras House illegally. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case based on the confession statement given by A3. On instructions, he would further submit that the petitioner is ready to deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the Adyar Cancer Institute (WIA), East



Canal Bank Road, Adyar, Chennai, and prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit the accused persons were found in possession of 844 bottles of IMFL without valid licence. He further submitted that as far as the petitioner herein is concerned he has no previous case.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Rupees only) by way of Demand Draft to the Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai and on such deposit 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 on which the order copy made ready, before the learned V Metropolitan Magistrate, Egmore, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Rupees only) with two sureties, one among the sureties shall be a blood relative of the petitioner, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand only) by way of Demand Draft to the Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai.

[c] the petitioner shall report before the respondent Police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

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

[e] the petitioner shall not abscond either during investigation or trial.



[f] 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].

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

-sd/-

10/06/2022

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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PROHIBITION AND ENFORCEMENT WING
(PEW) ANNA NAGAR,
CHENNAI-600 040.

5 THE CANCER INSTITUTE (WIA)
EAST CANAL BANK ROAD,
ADYAR, CHENNAI.

+1 CC to M/S.M.SASIKUMAR Advocate on payment of necessary charges SR.NO. 8862

CRL OP.13189/2022

Date :10/06/2022

TA-15/06/2022