



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14634 of 2022

MANO @ MANOHARAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
PEW PERIYAPALAYAM POLICE STATION,
THIRUVALLUR DISTRICT.
(CRIME NO.67 OF 2021)

For Petitioner : M/S. R.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 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 4(1)(aaa) r/w 4(1-A) of T.N.P.Act and Section 328 of IPC r/w 7 & 11 of TNRS Rules 2000 (Transporting) in Crime No. 67 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with the other accused are alleged to have been found in possession of 15,680 litres of I.D.Arrack. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case. On instructions, he would further submit that the petitioner is ready to deposit an amount of Rs.25,000/- to the Chief Educational Officer, Thiruvallur District and prays for grant of anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that there are totally 11 accused in this case. The petitioner is arrayed as A11. He would further submit that the petitioner was found in illegal possession of 15680 litres of ID Arrack. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

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/- to the Chief Educational Officer, Thiruvallur District, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as non-refundable deposit to the credit of the Chief Educational Officer, Thiruvallur 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 is made ready, before the learned Judicial Magistrate No.I, Thiruvallur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000 /- (Rupees Ten 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, 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) as non refundable deposit to the credit of the Chief Educational Officer, Thiruvallur District for the rehabilitation and improvement of the basic needs of the Government Schools in the said District.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

[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].

WEB COPY

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

-sd/-

24/06/2022

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,
NO.I, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PEW PERIYAPALAYAM POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE CHIEF EDUCATIONAL OFFICER,
THIRUVALLUR DISTRICT.

+1CC to M/S. R.SASIKUMAR Advocate on payment of necessary charges SR.No.10123

CRL OP.14634/2022

Date :24/06/2022

CSK 30/06/2022