



CrI.O.P.No.16890 of 2022

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WEB G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest for the alleged offences under Sections 4(1) (aaa), 4(1-A), 4(1)(g) 14A of Tamil Nadu Prohibition Act in Crime No.160 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that totally there are four accused and the petitioners are arrayed as A1 and A3. It is alleged that the petitioners along with other accused were in possession 120 litres of ID Arrack. Hence, a case was registered against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. On instructions, he would further submit that the petitioners is ready to deposit an amount of Rs.20,000/- each to the **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and prays for grant of



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anticipatory bail to the petitioners.

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4. The learned Additional Public Prosecutor would submit that the petitioners have no previous case against them similar in nature. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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 petitioners has come forward to deposit an amount of Rs.20,000/- each to the **Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai**, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) each by way of Demand Draft to the **Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai** and on such deposit the petitioners are ordered to be released on bail in the event of arrest or



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on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sankarapuram on condition that the petitioners 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 petitioners 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 petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) by way of Demand Draft to the **Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai.**

[c] the petitioners shall report before the respondent police for a period of two weeks and thereafter as and when required for interrogation.

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



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

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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

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