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Crl.O.P.No.27215 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1)(k) @ 24 of TNP Act in Crime No.621 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner was in illegal possession of two brandy bottles and 11 beer bottles. Hence the case.

3. The learned counsel appearing for the petitioner would submit that this is the 3rd anticipatory bail petition of the petitioner and the earlier anticipatory bail petitions were dismissed by this Court on the ground that there are 3 previous cases of similar nature pending as against the petitioner. He would further submit that on verification, it was found that 1 case is of the year 2012 and 2 other cases are of the year



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2019 and for the past three years, there are no previous cases pending against the petitioner. He would submit that without prejudice, petitioner is prepared to deposit a sum of Rs.30,000/- to the Government for any welfare purpose and he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner was in illegal possession of two brandy bottles and 11 beer bottles. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Considering the facts and circumstances of the case and without prejudice, petitioner is undertaking to deposit a sum of Rs.30,000/- to the Government for any welfare purpose, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) as a non-refundable deposit



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by way of **Demand Draft/RTGS/NEFT to the "Rehoboth-Home for mentally challenged homeless women, No.22, Viswas Nagar, Koluthuvancherri, Paraniaputhur, Chennai, vide Account Rehoboth - Punjab National Bank, Moulivakkam Branch, A/c. No.05812010015060, IFSC Code : PUNB0058110, MICR Code : 600024081"** 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 District Munsif Cum Judicial Magistrate, Madhavaram**, 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, 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



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obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) as non-refundable deposit to the **"Rehoboth-Home for mentally challenged homeless women, No.22, Viswas Nagar, Koluthuvancherri, Paraniaputhur, Chennai, vide Account "Rehoboth - Punjab National Bank, Moulivakkam Branch, A/c. No.05812010015060, IFSC Code : PUNB0058110, MICR Code : 600024081"** and the acknowledgement for the same shall be produced before the learned Magistrate at time of execution of bond.

[c] the petitioner shall report before the respondent police every day 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



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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.

11.11.2022

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