



Crl.OP.No.27515 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest for the alleged offences under Sections 4(1)(a) and 4(1-A) and 14-A of TNP (Transport) Act in Crime No.466 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner was found in illegal possession of 4 litres of Pondy arrack by using Honda Dio Two Wheeler bearing Regn.No.TN-31-CX-3422. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that without prejudice to his rights, the petitioner is prepared to deposit a sum of Rs.10,000/- to the charitable organization for any welfare purpose as directed by this Court 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 found in illegal possession of



4 litres of Pondy arrack by using Honda Dio Two Wheeler bearing Regn.No.TN-31-CX-3422.. He would further submit that there is no previous case as against the petitioner. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made the and the petitioner is ready and willing to deposit a sum of 10,000/- to the charitable organization for any welfare purpose, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** as non-refundable deposit to the credit of “ ***Puducherry Advocates Welfare Fund***, Indian Bank, Bussy Street Branch, Puducherry. A/c.No.7199772117, IFSC No.IDIB000B173” 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 Judicial Magistrate-I, Cuddalore***, 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:

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[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 report before the respondent police every day at 10.30 a.m for a period of four weeks and on every Saturday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with 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 229A IPC.

7. With the above directions, this Criminal Original Petition is ordered.

14.11.2022

Vv

A.D.JAGADISH CHANDIRA, J.



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