



Crl.O.P.No.28839 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(aa), 4(1-A) of T.N.P.Act in Crime No.135 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was found in illegal possession of 477 liquor bottles. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. He further submitted that earlier this Court dismissed the petition filed by the petitioner in Crl.O.P.No.24177 of 2022 dated 11.10.2022 with cost of Rs.5,000/-. The said cost was duly paid by the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that this is the fourth anticipatory bail petition. Earlier, this Court dismissed the anticipatory bail petition filed by the petitioner in Crl.O.P.Nos.15069, 19257 and 24177 of 2022 dated 04.07.2022, 16.08.2022 and 11.10.2022



Crl.O.P.No.28839 of 2022

respectively. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Though this Court dismissed the petition filed by the petitioner in Crl.O.P.No.24177 of 2022 dated 11.10.2022 with cost of Rs.5,000/-, the said cost was duly paid by the petitioner. Even then, the respondent did not take any steps to secure the petitioner. Since, the petitioner involved in so many cases, this Court was not inclined to grant anticipatory bail to the petitioner on earlier occasions. However, the respondent failed to secure the petitioner and as such, the entire investigation in Crime No.135 of 2022 is still pending. If the petitioner at least appear before the respondent, the investigation will be completed.

6. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner shall donate a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code :



Crl.O.P.No.28839 of 2022

WEB COPY

HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431 and on such donation 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 Court, Cheyyiur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two blood related 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 donate a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431, and that the receipt of such donation shall be produced before the concerned Magistrate at the time of executing the bond;



Crl.O.P.No.28839 of 2022

WEB COPY

[c] the petitioner shall report before the respondent police daily Morning at 10.30 a.m. and Evening at 5.30. p.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]**.

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

24.11.2022

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Crl.O.P.No.28839 of 2022

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Lpp

Crl.O.P.No.28839 of 2022

24.11.2022