

**Crl.O.P.No.32590 of 2022****A.A.NAKKIRAN, J.**

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The petitioner who apprehends arrest for the alleged offence under Sections 4(1) (aaa), 4(1-A) (ii) of the Tamil Nadu Prohibition Act in Cr.No.868 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 105 litres of country liquor worth about Rs.4,000/- and the same was seized by the respondent police.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) submitted that the petitioner was found in possession of 105 litres of country liquor worth Rs.4,000/- ; he further submitted that there is no previous case pending against the petitioner.

5.Considering facts and circumstances of the case and there is no previous case pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Court, Cheyyur**, 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 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 Court concerned 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 daily at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

(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]; and;

WEB COP(f)if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

28.12.2022

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To:

1. The Judicial Magistrate, Cheyyur.
2. The Judicial Magistrate Court, Cheyyur.

3. The Public Prosecutor,

Madras High Court.



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