



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.1595 of 2022

Marappan

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Manapparai Police Station,
Trichy District.
(Crime No.20/2022)

... Respondent/Complainant

For Petitioner : M/s.Kandhavadivelan G, Advocate.

For Respondent : M/s.S.Manikandan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.20 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.1, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1)(a) and 4(1A) of Tamilnadu Prohibition Act, in Crime No.20 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the police party was on patrol duty on 22.01.2022, the accused persons were found in illegal possession of 90 liquor bottles. Hence, A2 and A3 were arrested. Based on the confession of them, the present petitioner/A1 was implicated.

3.On the side of the petitioner it is stated that the petitioner is a salesman in a TASMAL shop in Veerapur, Manapparai



Taluk, Trichy District. He always sell the liquor bottles as per the prescribed Government norms. But without any reason A2 & A3 falsely implicated the petitioner herein and prayed the petitioner to be released.

4. On the side of the respondent it is stated that the petitioner illegally sold liquor bottles. Based on the confession of A2 & A3 the petitioner was implicated in this case and prayed the petition to be dismissed.

5. Considering the submission made on either side, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Manapparai, 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 learned Magistrate concerned and the petitioner shall appear before the concerned Court daily at 10.30 a.m. for a period of one month. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

Sd/-
28/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



1. THE JUDICIAL MAGISTRATE,
MANAPPARAI.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3. THE INSPECTOR OF POLICE,
MANAPPARAI POLICE STATION,
TRICHY DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.1595 of 2022
Date :28/01/2022

SP/VR/SAR III/04/02/2022/3P/5C