



WEB COPY

CRL OP(MD).



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.9680 of 2022

Palaniappan

... Petitioner/Accused No.1

Vs

The State rep.by,
The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.
Crime No.92/2022.

... Respondent/Complainant

For Petitioner : Mr.T.Veerakumar, Advocate.

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.92 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) of Tamil Nadu Prohibition Act in Crime No.92 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 20.05.2022, when the defacto complainant intercepted patrolling checkup, the petitioner and other accused persons are said to have sold palm wine at Mathur Thottakadu, after seeing the police party they have escaped from the place of occurrence. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that toddy is not a prohibited substance and the lemon is also organic substance.



4. The learned Government Advocate (Crl. Side) the respondent police submitted that some of the accused have been arrested and released on bail. He would further submit that no previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is not having any previous case and that only on chemical analysis it has to be found out whether it is poisonous or not, 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, Karaikudi, Sivagangai District 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 respondent police daily at 10.30 a.m. until further orders. 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/-

06/07/2022

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/07/2022

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

TO

1 THE JUDICIAL MAGISTRATE, KARAISKUDI.

2 DO THROUGH: THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
SAKKOTTAI POLICE STATION, SIVAGANGAI DISTRICT.

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

+1 CC to MR.T.VEERA KUMAR, Advocate (SR-6830[I] dated 08/07/2022)

ORDER

IN

CRL OP(MD) No.9680 of 2022

Date :06/07/2022

trp

<https://www.mca.gov.in/Portals/0/2/12.07.2022/2P/6C>