



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP (MD) . No.15084 of 2022

Jai Ganesh @ Jeyaganesan @ Ganesan

... Petitioner/
Sole Accused

Vs

State rep.by
The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
(Crime No.223/2022).

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram S, 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.223/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 4(1)(i) of TNP Act and Section 77 of Juvenile Justice Act in Crime No.223 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, the petitioner herein is said to have been found in possession of 18 Liquor Bottles, each containing 180 ml. 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 also submit that he has filed an affidavit that he will not indulge in similar type of offences again.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the investigation of the case is pending. He would also submit that no previous case is pending against the petitioner.

5. Considering the nature of offence, the overt act attributed against the petitioner and the fact that the petitioner has filed an affidavit that he will not indulge in similar type of offences again and also the fact that no previous case is pending against the petitioner, 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, Cheranmahadevi, Tirunveli 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/-
01/09/2022

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/09/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV



1. THE JUDICIAL MAGISTRATE,
CHERANMAHADEVI, TIRUNELVELI DISTRICT.

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

3. THE INSPECTOR OF POLICE,
SUTHAMALLI POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.15084 of 2022
Date :01/09/2022

SP/SVR/SAR I/09/09/2022/3P/5C