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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Reserved on : 14/09/2022
Pronounced on : 19/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP (MD) .No.16506 of 2022

1.Venkateswaran
2.Sukumar
3.Kamalakannan
4.Kanagaraj
5.Murugan
6.Ganesan
7.Sivaraj
8.Muneeshwaran
9.Ananthasiva
10.Muruganantham
11.Krishnakumar
12.Sathishkumar

... Petitioners/Accused
Nos.19,22 to 30, 32 and 33

Vs

State represented through
The Inspector of Police,
PEW - Ramanathapuram police Station,
Ramanathapuram,
Ramanathapuram District.
(Crime No.713/22).

... Respondent/Complainant

For Petitioners : M/s.K.Gokul, Advocate.

For Respondent : Mr.M.Muthumanikkam
Government Advocate (Cr1.Side)

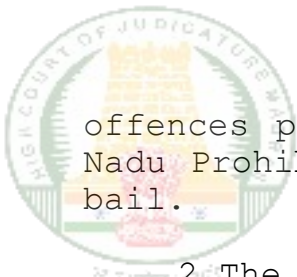
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.713/2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.19,22 to 30, 32 and 33 , who
apprehend arrest at the hands of the respondent police for the



offences punishable under Sections 4(1)(aaa), 24 and 7(a) of Tamil Nadu Prohibition Act, 1937, in Cr.No.713 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the petitioners were in illegal possession of 147 liquor bottles in 21 boxes. Hence the complaint.

3.The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the defacto complainant. They have been falsely implicated in this case. The petitioners name was not mentioned in the First Information Report. Co-accused in this case have been released on bail and hence they pray the petitioners to be released on anticipatory bail.

4.The learned Government Advocate(Crl.side) submitted that no previous case is pending against the petitioners.

5.Considering the facts and circumstances of this case and considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rameswaram, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

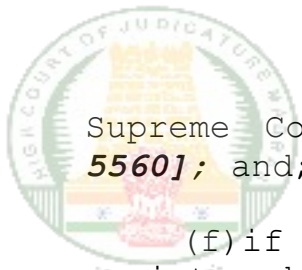
(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation.

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall be present before the Court on hearing dates and before the respondent police as and when required;

(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 petitioners 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) 5560]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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

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TO

1. THE JUDICIAL MAGISTRATE,
RAMESWARAM.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
PEW - RAMANATHAPURAM POLICE STATION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. GOKUL K Advocate SR.No.10278

ORDER
IN
CRL OP(MD) No.16506 of 2022
Date :19/09/2022

SP/SVR/SAR I/21/09/2022/3P/6C