



WEB COPY

CRL OP(MD). N



22

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

Date : 30/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.17513 of 2022

Sutha @ Ananthavalli

... Petitioner/Sole Accused

Vs

The State rep.by,  
The Inspector of Police,  
PEW Pattukottai Police Station,  
Thanjavur District.  
Crime No.1925 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram.S.,  
Advocate.

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

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

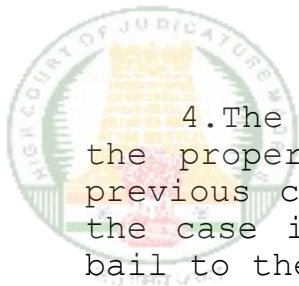
PRAYER :-For Anticipatory Bail in Crime No.1925 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4 (1)(aaa), 4(1)(g) of the Tamil Nadu Prohibition Act, in Cr.No.1925 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has illegally found in possession of 200 litters of ID arrack worth Rs.10,000/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit the petitioner is innocent and his name has been falsely implicated in this case. He would further submit that due to previous enmity, the petitioner herein was arrayed as accused and prayed for granting anticipatory bail to the petitioner.



4.The learned Government Advocate(Crl.Side) would submit that the property was recovered and the petitioner is not having any previous case. He would further submit that the investigation of the case is pending and he strongly opposed to grant anticipatory bail to the petitioner.

WEB COPY

5.Considering the facts and circumstances of the case and also considering the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is 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, Pattukkottai, Thanjavur 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 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 am until further orders.

(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;

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

sd/-

30/09/2022

/ TRUE COPY /

/10/2022

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



TO

1 THE JUDICIAL MAGISTRATE,  
PATTUKKOTTAI, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE  
PEW PATTUKOTTAI POLICE STATION,  
THANJAVUR DISTRICT.

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

+1 CC to M/s.S.SATHYACHIDAMBARAM, Advocate ( SR-10889[I] dated  
30/09/2022 )

ORDER

IN

CRL OP(MD) No.17513 of 2022

Date :30/09/2022

TRP

MK/GB/SAR.I/13.10.2022/3P/6C