



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 14/11/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.18501 of 2022

Moganambal

... Petitioner/Petitioner/
Accused Rank 2

Vs

The State rep.by
The Inspector of Police,
Kumbakonam West Police Station,
Kumbakonam, Thanjavur District.
(Crime No.497 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Selvakumar V, Advocate

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.497 of 2022 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1)(aa), 4(1-A) of Tamilnadu Prohibition Act, in Crime No.497 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The earlier anticipatory bail petition filed by the petitioner was dismissed by this Court on 14.07.2022, considering the bad antecedents of the petitioner. However, the petitioner again approached this Court by filing this petition seeking anticipatory bail, on the basis of Medical Certificate obtained from the registered Medical Practitioner stating that the petitioner is aged about 74 years and due to her illness, she needs regular medical supervision and also the undertaking affidavit filed by the petitioner.

3.Though it is submitted by the prosecution that the petitioner is habitually involved in prohibition cases, the sole ground for considering this petition is that the petitioner is aged about 74 years. Hence, this Court is inclined to enlarge the petitioner on anticipatory bail, with the following conditions:



5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the Judicial Magistrate No.I, Kumbakonam, on condition that the petitioners 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 Magistrate concerned and the petitioner shall file an undertaking affidavit before the trial Court that she will not indulge in any kind of offence in future and 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.

6.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/-

14/11/2022

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/11/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
KUMBAKONAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION,
KUMBAKONAM, THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.18501 of 2022
Date :14/11/2022

PNM

SA/VR/SAR.4/18.11.2022/2P/5C