



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/01/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.20902 of 2021

Rajakumarpandiyan,

... Petitioner/Accused No.1

Vs

The State Rep. by,
The Inspector of Police,
Thirunagar Police Station,
Madurai.
Cr.No.629 of 2021.

... Respondent/Complainant

For Petitioner : M/s. Sundar.R, Advocate.

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

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

PRAYER :-

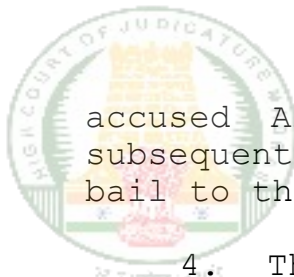
For Anticipatory Bail in Crime No.629 of 2021 on the file of the Respondent police.

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) & 24 of TNP Act, in Crime No.629 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 22.12.2021, all the government TASMALC shops were closed. On that day, at about 06.00 a.m, the second accused namely Karuppasamy was found in illegal possession of 195 TASMALC liquor bottles for selling at higher rate in the open market. Hence, this 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 the property was recovered only from A1 and on the basis of the confession statement given by him, the petitioner was arrayed as an accused in this case and the co-



accused A2 was arrested and remanded to judicial custody and subsequently, he was released on bail. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the co-accused was released on bail and the petitioner is not having any previous case.

5. According to the petitioner, he is the owner of the Bar and without his knowledge, the second accused indulged in such activities.

6. Considering the facts and circumstance of the case and also considering the fact that the petitioner is not involving any previous case similar in nature, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 No.VI, Madurai, 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.

8. 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/-
04/01/2022

/ TRUE COPY /

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

DSS

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUNAGAR POLICE STATION,
MADURAI.

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

+1 CC to M/s.R.SUNDAR, Advocate (SR-46[I] dated 05/01/2022)

ORDER

IN

CRL OP(MD) No.20902 of 2021

Date :04/01/2022

PKP/VR/SAR-1/06.01.2022/3P/6C