



Crl.O.P.No.523 of 2023

Crl.O.P.No.523 of 2023

WEB COPY

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 4(1)(aa), 4(1-A), 14A of TNP Act, in Crime No.537 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent on regular patrol, the petitioner was found to be in possession of 60 litres of Pondicherry Arrack. Hence the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, on instructions, the learned counsel further submitted that the petitioner, on their own volition, is ready and willing to contribute a sum of Rs.20,000/- to the credit of the Registered Advocate Clerk Association, Villupuram District that may be imposed by this Court. He prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.523 of 2023

WEB COPY

4. The learned Government Advocate (Crl.Side) submits that the petitioner was found in illegal possession of 60 litres of Pondicherry Arrack. He further submitted that there are seven previous cases against this petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), 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 on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned ***Judicial Magistrate I, Villupuram***, 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 the



Crl.O.P.No.523 of 2023

police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner is directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** to the credit of the **Registered Advocate Clerk Association, Villupuram**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

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

(c)the petitioner shall report before the respondent police every Saturday at 10.30 a.m. for a period of eight weeks and thereafter as and when required for interrogation;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;



WEB COPY



Crl.O.P.No.523 of 2023

T.V.THAMILSELVI, J.

jai

(f)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;

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

10.01.2023

jai

Crl.O.P.No.523 of 2023