



Crl.O.P.No.1038 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 4(1)(aaa), 4(1-A) of TN Prohibition Act, in Crime No.9 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found in illegal possession of 224 liters of Liquor and totally 1248 bottles. 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, Puducherry that may be imposed by this Court.



Crl.O.P.No.1038 of 2023

He prays for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) submits that the petitioner along with other accused were found in illegal possession of 224 liters of Liquor and totally 1248 bottles. 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 Court, Cheyyur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)**, with two sureties each



CrI.O.P.No.1038 of 2023

for a like sum to the satisfaction of the respondent police or the 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, Puducherry**, 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 Wednesday 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;



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CrI.O.P.No.1038 of 2023

T.V.THAMILSELVI, J.

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

(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.

19.01.2023

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CrI.O.P.No.1038 of 2023