



Crl.O.P.No.4039 of 2023

Crl.O.P.No.4039 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence punishable under Section 4(1)(aaa) of TNP Act in Cr.No.33 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 31.01.2023, at about 03.15. p.m., when the respondent police were on their regular patrol duty at Verojipalli Junction road, it was found that, the petitioner along with other accused person were involved in illegal transportation of 371 liters of other state liquor by using the Car bearing Registration No.TN22CY1204. Hence, this complaint.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case based on the false confession made by the co-accused. He would further submit that, the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the



Crl.O.P.No.4039 of 2023

petitioner.

WEB COPY

4. Learned Government Advocate (Crl.side) submits that the petitioner along with other accused person was involved in illegal transportation of 371 litters of other state Liquor. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner on his own volition, is ready to deposit an amount of Rs.10,000/- to the credit of the Advocate Clerks Welfare Association, Krishnagiri District, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to make an non- refundable deposit of a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Advocate Clerks Welfare Association, Krishnagiri District within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned Judicial Magistrate No.II, Krishnagiri**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only), with two



CrI.O.P.No.4039 of 2023

sureties each 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 shall make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of the Advocate Clerks Welfare Association, Krishnagiri District, within a period of four weeks from the date of receipt of a copy of this order.

(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 on every Tuesday at 10.30 a.m. for a period of two months;

(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;

(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



WEB COPY



CrI.O.P.No.4039 of 2023

with law as if the conditions have been imposed and
the petitioner released on bail by the

T.V.THAMILSELVI, J.

skt

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.

27.02.2023

skt



WEB COPY



CrI.O.P.No.4039 of 2023

CrI.O.P.No.4039 of 2023