



CrI.O.P.No.12870 of 2023

CrI.O.P.No.12870 of 2023

WEB C **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest for the alleged offences under Sections 4(1)(aa) and 4(1-A) of T.N.P.Act in Crime No.182 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, who is the Bar owner was found to sell liquor in loose bottles beyond the prescribed time and also fixing the price over and above the rate fixed by TASMAL. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is only a Bar owner and without his knowledge, the salesman indulged in the offence and the salesman was arrested and released on bail. He would further submit that there is no previous case pending against the petitioner. He would further submit that without prejudice, the petitioner is prepared to deposit a sum of Rs.25,000/- to



Crl.O.P.No.12870 of 2023

the Government for any welfare purpose and he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that petitioner is the Bar owner permitted his staff to sell liquor beyond the prescribed time and also selling the liquor above the rate fixed by TASMAL. He would further submit that the petitioner has no previous case against him. However, he would object to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and without prejudice, the petitioner is undertaking to deposit a sum of Rs.25,000/- to the Government for any welfare purpose, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed to deposit a sum of



CrI.O.P.No.12870 of 2023

Rs.25,000/- (Rupees Twenty Five Thousand only) as non-refundable deposit to

the **Kilpauk Medical College and Hospital, Kilpauk, Chennai, "Hospital**

Maintenance Fund" Canara Bank, Kilpauk Branch.

A/c.No.1650101005396, IFSC Code : - CNRB0001650 MICR Code : -

600015050, and on such deposit, the petitioner is ordered to be released on bail

in the event of arrest or on her appearance, within a period of fifteen days from

the date on which the order copy made ready, before the **learned XIII**

Metropolitan Magistrate, Egmore, Chennai, on condition that the petitioner

shall execute a bond for a sum of Rs.25,000 /- (Rupees Twenty Five Thousand

only) with two 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 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty



CrI.O.P.No.12870 of 2023

Five Thousand only) as non-refundable deposit to the **Kilpauk Medical College and Hospital, Kilpauk, Chennai, "Hospital Maintenance Fund" Canara Bank, Kilpauk Branch. A/c.No.1650101005396, IFSC Code : - CNRB0001650 MICR Code : - 600015050**, and the acknowledgement for the same shall be produced before the learned Magistrate at time of execution of bond. Failing which, anticipatory bail granted by this Court shall stands automatically cancelled.

[c] the petitioner shall report before the respondent police every day at 10.30 a.m, until further orders.

[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 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered



under Section 229A IPC.

WEB COPY

ata



CrI.O.P.No.12870 of 2023

13.06.2023



WEB COPY



Crl.O.P.No.12870 of 2023

A.D.JAGADISH CHANDIRA, J.
ata

Crl.O.P.No.12870 of 2023

13.06.2023

Page 6 of 6