



Crl.OP.No.13915 of 2023

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

The petitioner, who apprehends arrest for the alleged offences under Sections 24, 4(1) K of TN Prohibition Act, in Crime No.134 of 2023 pending on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the when the respondent police was in regular patrol, they found that the petitioner is illegally running a bar. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioner is an innocent and he is only running a Pan Shop opposite to the TASMACH, but not running any illegal bar as stated in the FIR. He would further submit that without prejudice to his rights, the petitioner is prepared to deposit a sum of Rs.20,000/- to the Government for any welfare purpose that may be imposed by this Court and he prays for grant of anticipatory bail to the petitioner.



WEB COPY

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner is illegally running a bar. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made the and the petitioner is ready and willing to deposit a sum of 20,000/- 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 Rs.20,000/- (Rupees Twenty Thousand only) as non-refundable deposit either through RTGS/NEFT or in cash in favour of ***"The Dean/Medical Officer, Stanley Hospital and Medical College, Chennai"*** and on such deposit and production of proof, 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 on which the order copy made ready, before the ***learned Metropolitan Magistrate Court-XV, George Town, Chennai*** 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 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 report before the respondent police every day at 10.30 a.m for a period of four weeks and thereafter on every Saturday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

Vv

22.06.2023



WEB COPY



Crl.OP.No.13915 of 2---

A.D.JAGADISH CHANDIRA, J.

Vv

Crl.OP.No.13915 of 2023

22.06.2023