



Crl.O.P.No.14020 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 4(1)(aaa), 4(1)(i) of Tamil Nadu Prohibition Act pending in C.C.No.3718 of 2022 on the file of the learned Chief Metropolitan Magistrate, Egmore at Chennai, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that, petitioner did not appear before the trial Court on 25.05.2022 for facing trial in C.C.No.3718 of 2022. Therefore, NBW was issued against him. He further submitted that, petitioner would be regular in attending the Court hereafter. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, C.C.No.3718 of 2022 is pending from the year 2022 .

4. Considering the fact that the case is pending without progress and that the respondent police has not taken any effective steps



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for arresting the petitioner and on the basis of the undertaking given by the learned counsel for the petitioner that petitioner would regularly attend the court, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, 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 Chief Metropolitan Magistrate, Egmore at 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.



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[b] the petitioner shall report before the Chief Metropolitan Magistrate Court, Egmore at Chennai daily at 10.30.a.m., for a period of one month and thereafter on all hearing dates.

[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 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].

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

18.07.2023

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