



Crl.O.P.No.14583 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under **Sections 4(1)(a), 4(1-A) (ii) of Tamil Nadu Prohibition Act**, in Crime No.277 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case registered in Crime No.277 of 2023 for the offences under Sections 4(1)(a), 4(1-A) (ii) of Tamil Nadu Prohibition Act. Apprehending arrest, this petition is filed seeking anticipatory bail.

3. In response, the learned Government Advocate (Crl. Side) opposed this petition stating that, the petitioner was found in possession of 17 bottles of Old Secret Rum and 31 bottles of Top Star Brandy (each bottle containing 180 ml). No previous case is reported against the petitioner.



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4. Considered the submissions and perused the records.

5. Considering the nature of incident and the fact that the petitioner has no bad antecedents, 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 on which the order copy made ready, before **the learned Judicial Magistrate, Gudiyatham**, 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:



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[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 daily at 10.00 a.m. and 6.30 p.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 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].



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

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