



Crl.OP.No.20429 of 2023

Crl.O.P.No.20429 of 2023

RMT.TEEKAA RAMAN, J.

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The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence punishable under Section 4(1)(a) and 4(1)(A) of Tamil Nadu Prohibition Act in Crime No.307 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 17.08.2023, when the Defacto Complainant along with other officials were in routine checkup, they found the Petitioner with 40 tasmac bottles, each 180 ml. On his confession statement, the contrabands were seized by the respondent police. Hence, the case.

3.The learned Counsel for the Petitioner would submit that the Petitioner is an innocent person and no way connected with the case and she was falsely implicated in this case. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the Petitioner.

4.The learned Government Advocate (Crl. Side) for the Respondent would submit that the Petitioner possessed 40 Tasmac bottles, each 180 ml, illegally. He vehemently opposed to grant anticipatory bail to the Petitioner.

5.Heard both sides and perused the materials available on record.

6.Taking into consideration the facts and the submissions made by the learned counsel on either sides and the nature and gravity of the alleged offence, this Court is inclined to grant anticipatory bail to the Petitioner with



certain conditions.

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7. Accordingly, the Petitioner is directed to make a non-refundable deposit of **Rs.30,000/- (Rupees Thirty Thousand only)** directly to the credit of **"The Dean/Medical Officer, Rajiv Gandhi Government General Hospital, Chennai"**, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, 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 X Metropolitan Magistrate, Egmore, Chennai**, on condition that the Petitioner shall execute a separate 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, everyday at 10.30 a.m., for a period of four weeks and thereafter as and when required;**

[c] the Petitioner shall not tamper with evidence or



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

11.09.2023

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Dated: 11.09.2023