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Crl.O.P.No.21741 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1)(aaa) and 4(1-A) of TN Prohibition Act, and Section 328 of IPC, in Crime No.573 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused were found in possession of 42 bottles of Pondicherry Brandy. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the alleged offence. He would further submit that without prejudice, the petitioner is prepared to deposit an amount of Rs.20,000/- as non-refundable deposit to any welfare scheme of the Government. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner along with other accused were found in possession of 42 bottles of Pondicherry Brandy. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the entire materials available on record including the First Information Report.

6. Considering the facts and circumstances and taking into consideration the submission of the learned counsel for the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

7. Accordingly, **the petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) by way of demand draft drawn in favour of the Dean/Medical Officer, Vellore Government Hospital & Medical College, Adukambarai**, and on such deposit and production of proof, the petitioner is ordered to be released on bail in the



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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, Thiruthuraipoondi**, 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 daily at 10.30 a.m., until further orders.

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



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[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;

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