



Crl.O.P.No.23345 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.256 of 2023 registered by the respondent Police for the offence under Sections 4(1-A) of TN Prohibition Act.

2. The learned counsel for the petitioner stated that the petitioner has been falsely implicated in this case. Eventhough there are 22 previous cases registered against the petitioner, fine amount has been paid in all those cases. Apprehending arrest from the respondent police, he seeks bail to the petitioner.

3. It is stated by the learned Government Advocate (Criminal side) that the petitioner was in possession of MCLENE-238 Bottles (180ML), GOLDEN CHOICE – 6 Bottles (180 ML) and GOLDEN CHOICE – 6 Bottles, totally 249 bottles. It is stated that the petitioner tried to mix atropin, but however, even before it could be done, the contraband had been seized. It is stated that A1 has been granted Bail. It is however stated by the respondents that there are as many as 22 cases against the petitioner. Thus, he prays for dismissal of this petition.



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4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 XVI Metropolitan Magistrate, 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.



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[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;

[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];**

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

12.10.2023

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