



Crl.O.P.Nos.23268, 23271, 23273,
23275, 23278 and 23280 of 2023

C.V.KARTHIKEYAN, J.

The petitioner in all the cases, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1)(aaa), 4(1-A) in Crl.O.P.Nos.23268 and 23280 of 2023 and Sections 4(1)(aaa), 4(1-A) and 14-A of TNP Act in Crl.O.P.Nos.23273, 23271, 23275 and 23278 of 2023 in Crime Nos.712/21, 498/22, 239, 338, 358 and 169 of 2023 on the file of the respondent police on various dates seeks anticipatory bail.

2.The case of the prosecution is that the entire family members of the petitioner are involved in selling of illicit arrack and selling to general public. The father of the petitioner was earlier arrested and he was detained under Act 14 of 1982, but the same was quashed. It is also stated that all the family members of the petitioner have been implicated in one case or other by the respondent Police regarding the selling of illicit arrack. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in these case. Hence, he prayed for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) for the respondent submits that the petitioner's family colluded with each other and committed the offence of selling illicit arrack and many previous cases are pending against the petitioner and his family members. However, he opposed to grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, **petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the Dean, Government General Hospital, Villupuram District (in each case) failing which, the anticipatory bail shall stand dismissed,** 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 No.II,**



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Kallakurichi, 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 deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the Dean, Government General Hospital, Villupuram District (in each case) within a period of two weeks, failing which, the anticipatory bail shall stand dismissed;**

[c] **the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions,



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the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

07.11.2023

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nvi

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