



Crl.O.P.No.23290 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.352 of 2023 registered by the respondent police for the offence punishable under Sections 4(1)(aa) r/w Section 4(1)(h) of the Tamil Nadu Prohibition Act, with respect to an occurrence said to have been taken place on 15.08.2023.

2. The petitioner and all other accused are family members. The petitioner had apparently given a car for transportation of liquor. It is stated that the accused were found in possession of 96 bottles of Golden Eagle Brandy, 96 bottles of Top Star Brandy and 36 bottles of SNJ 10000 Bear in a Maruti Suzuki car bearing Regn.No.TN-97-Z-0157, which is owned by the petitioner herein.

3. In view of these facts, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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4. Accordingly, **the petitioner shall make a non-refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) by way of demand draft drawn in favour of the Dean, Government Hospital, Tiruvannamalai, within a period of two weeks from the date of receipt of a copy of this order and the said amount may be used for needy patients,** and on such deposit, 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 **Judicial Magistrate, Cheyyar, Tiruvannamalai District,** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 every alternate days at 10.30 a.m., for 10 occasions and thereafter, as and when required for interrogation.

[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]**.

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

10.10.2023

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