



Crl.O.P.No.23545 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner herein seeks anticipatory bail in Crime No.1070 of 2023 registered by the respondent Police for the offence under Sections 4(1)(a) r/w. 4(1-A) of Tamil Nadu Prohibition Act.

2. The learned counsel for the petitioner stated that, he has been falsely implicated in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioner.

3. It is stated by the learned Government Advocate (Criminal side) that on a vehicle check up, a two wheeler bearing registration No.KA-59-E-7807 came in the opposite direction and the vehicle did not stop but later the driver had abandoned the vehicle; and ran away. On search, the vehicle was found with 48 Packets of Double Kick Whisky, 48 Packets of Carnival XXX Rum, Bangalore Whisky (each packet containing 180 ml), 96 Packets of opened liquor without containing Seal, 2 Nos. Of Plastic Bottle Liquor (containing 360 ml.) totally 34,920 ml. 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 Judicial Magistrate No.II, Hosur**, 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



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**respondent Police, daily at 10.30 a.m., and 05.30 p.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]**;

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

12.10.2023

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