



Crl.O.P.No.23785 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 4(1)(aaa) r/w 4(1-A) of TNP Act in Crime No.446 of 2023, seeks anticipatory bail.

2. The learned counsel for the petitioner stated that the petitioner has been arrayed as A2 in this case. He also stated that the petitioner is an innocent person and he has not committed any offence as alleged by the respondent. Hence, he prays for grant of anticipatory bail.

3. The learned Government Advocate (Criminal Side) stated that the petitioner was found in possession of 110 litres of Pondy Arrack along with 195 bottles of brandy. He also stated that the 1st accused has been taken into custody and still in custody. He further stated that there is no previous case as against the petitioner herein.



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4. Taking this fact into consideration, this Court is inclined to grant anticipatory bail to the petitioner, subject to the payment of Rs.10,000/- (Rupees ten thousand only) by the petitioner within a period of two weeks from the date of receipt of a copy of this order, to the credit of the Dean, Government General Hospital, Mayiladuthurai District.

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 Court, Sirkazhi**, 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:



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[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 appear before the respondent police daily at 10.30 a.m., until further orders.

[c] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of “The Dean, Government General Hospital, Mayiladuthurai District” within a period of two weeks from the date of receipt of a copy of this order.

[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, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the



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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.

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