



Crl.OP.No.23815 of 2023

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Crl.O.P.No.23815 of 2023

C.V.KARTHIKEYAN.J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1-A), 4(1)(aaa) r/w 14A of Tamil Nadu Prohibition Act, in Crime No.667 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is stated that the respondent while conducting a vehicle checkup at Kottakuppam Check Post, a Hyundai Xcent car bearing Regn.No.PY-05-F-5365 was found in possession of 60 litres of Pondicherry Arrack and 144 bottles of Corona beer.

3. It is stated by the learned counsel for the petitioner that the petitioner was an innocent of the offence and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. It is stated by the learned Government Advocate (Crl. Side) for



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the respondent that there are four previous cases pending against the petitioner herein and the said contraband had also been secured.

5. Taking into consideration the fact that the said contraband had been seized, this Court is inclined to grant bail to the petitioner with certain conditions;

6. Accordingly, the petitioner is ordered to be released on bail on condition to make a non-refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** directly to the credit of "**The Dean/Medical Officer, Government Medical College and Hospital, Villupuram**", without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, 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 Court, Vanoor, 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



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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 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



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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;

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