



Crl.O.P.No.26334 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/accused in Crime No.194 of 2023, registered under Sections 4(1)(g), 4(1)(a), 4(1-A) of Tamil Nadu Prohibition Act, with reference to an occurrence which took place on 14.5.2023, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.It is stated that the petitioner was found in possession of 30 Ltrs illicit arrack and 1000 Ltrs of Ural. The learned counsel for the petitioner stated that the petitioner is innocent. It is stated on behalf of the respondent that the petitioner has previous cases. It is also stated that the earlier anticipatory bail application had been dismissed. However, taking all the factors into consideration, anticipatory bail is granted, directing the petitioner to deposit a sum of Rs.15,000/- to the credit of the Dean, Government General Hospital, Thirupathur District, for the treatment of needy patients.

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.



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5. Accordingly, the petitioner/accused 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, Vaniyambadi**, 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/accused is directed to deposit a sum of Rs.15,000/- to the credit of the Dean, Government General Hospital, Thirupathur District**, for the treatment of needy patients and the petitioner is directed to appear before the respondent police **every day at 10.30 a.m, for a period of two weeks and thereafter as and when required.**

[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 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];**

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

15.12.2023

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