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Crl.O.P.No.27641 of 2023

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C.V.KARTHIKEYAN, J.

Petitioner/A2 in Crime No.23 of 2023 registered under Sections 4(1)(aa), 4(1-A)(ii) of Tamil Nadu Prohibition Act, 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 A1 and A2 were sitting together. A1 was arrested with the possession of 51 litres of illicit arrack. A1 had been subsequently granted bail. However, taking into consideration the quantity of the illicit arrack, anticipatory bail is granted.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/A2 with certain conditions.

5.Accordingly, the petitioner/A2 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**



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No.II, Tiruvannamalai, 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/A2 to appear before the respondent police **every day at 10.30 a.m, for a period of three weeks** and thereafter as and when required for interrogation.

Additionally, the petitioner/A2 is directed to deposit a **sum of Rs.15,000/-** to the **Dean Government General Hospital, Tiruvannamalai**, for treatment of the needy patients.

[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;



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[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;

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