



Crl.O.P.No.27860 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners / A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a), 4(1-A) of the Tamil Nadu Prohibition Act in Crime No.810 of 2023, seeks anticipatory bail.

2. When the matter is taken up for hearing learned counsel for the petitioners sought permission of this Court to withdraw this petition against the 1st petitioner / A1 and he has also made an endorsement to that effect in the Court bundle. Accordingly, this petition stands dismissed as withdrawn as against the 1st petitioner / A1.

3. It is stated that the 2nd petitioner and the 1st accused were found in possession of 23 bottles of 180 ML of liquor. It is also stated that there is no previous case pending against the petitioner / A2.

4. Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the 2nd petitioner / A2.

5. Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days



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from the date on which the order copy made ready, before the learned Judicial Magistrate, Thirukazhukundram, 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 2nd 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 2nd petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the 2nd 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



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action against the 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd 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.

13.12.2023

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