



WEB COPY

CRL OP(MD)



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date :27.03.2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD)No.5578 of 2023

1.C.Vadivel ... Petitioner/Accused No.3

2.R.Chandru ... Petitioner/Accused No.4

Vs

State Rep.by
The Inspector of Police,
Pandanallur Police Station,
Thanjavur District. ... Respondent/Complainant

For Petitioners : Mr.M.Ezhilarasan
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.935 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A3 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 4 (1)(a) and 4(1-A) of the Tamil Nadu Prohibition Act, 1937 in Crime No.935 of 2022, seek anticipatory bail.

2.The case of the prosecution is that on 31.12.2022, the accused persons transported 186 numbers of 180ml liquor bottles in two wheeler and on seeing the Police, the accused persons absconded from the scene of occurrence. Hence the case.

<https://www.mca.gov.in/judis>



3. Heard both sides and perused the materials available in the record.

4. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the District Munsif cum Magistrate Court at Thiruvidadaimaruthur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) each as non refundable deposit by way of Demand Draft/RTGS/NEFT to the RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431, and shall produce the receipt before the concerned Magistrate at the time of executing the bond;

[c] the petitioners shall report before the respondent Police, daily at 10.30 A.M., for a period of two weeks and thereafter, as and when required for interrogation;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 petitioners 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].



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

sd/-
27/03/2023

WEB COPY

/ TRUE COPY /

/04/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns

TO

- 1.The District Munsif cum Magistrate Court,
Thiruvidaimaruthur.
- 2.The Inspector of Police,
Pandanalur Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to
The Officer In-Charge,
Ray of Light Foundation,
Nungambakkam,
Chennai.
Tamil Nadu 600034.

+1 CC to M/s.M.EZHILARASAN, Advocate (SR-4898[I] dated 27/03/2023)

ORDER IN
CRL OP (MD) No.5578 of 2023
DATE : 27.03.2023

NA/BUC/SAR-3/10.04.2023/3P/6C