



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/04/2023

PRESENT

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

CRL OP(MD). No.6428 of 2023

WEB COPY

Prasad

... Petitioner/Accused No.1

Vs

The State rep., by
The Inspector of Police,
PEW Thiruverumbur Police Station,
Trichy District.
(Crime No.370 of 2023)

... Respondent/Complainant

For Petitioners : Mr.R.Aravindraaj, Advocate

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.370 of 2023 on the file of the respondent police

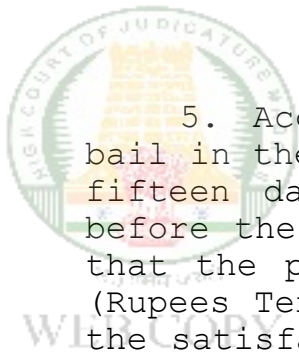
ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 4(1)(aaa) and 4(1-A) of the Tamil Nadu Prohibition Act in Crime No.370 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 31.03.2023 based on the secret message, the respondent police intercepted one Murugan and his statement was recorded as if he is working under the petitioner and under investigation of the petitioner, he had illegally possession of 618 bottles of 180 ML Brandy and 23 tins of 500 ML Beer. Hence, the complaint.

3. Heard both side and perused the materials available on record including the First Information Report.

4. Taking into consideration of the facts and circumstances of the case and also the fact that the petitioner has no previous case, the custodial interrogation of the petitioner does not require. Therefore, this court is inclined to grant anticipatory bail to the petitioner, with certain conditions:



5. Accordingly, 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 learned Judicial Magistrate No.III, Trichy, 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 shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) as non refundable deposit to the credit of Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai and shall produce the receipt before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent Police as and when required for interrogation.

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

[e] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the 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].

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

sd/-

06/04/2023

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/04/2023

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

RMK

<https://www.mhc.tn.gov.in/judis>



TO

1. THE JUDICIAL MAGISTRATE NO.III, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE INSPECTOR OF POLICE,
PEW THIRUVERUMBUR POLICE STATION,
TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER IN CHARGE,
ADYAR CANCER INSTITUTE (WIA),
EAST CANAL BANK ROAD, ADYAR,
CHENNAI

+1 CC to M/s.R.ARAVIND RAJ, Advocate (SR-5532[I] dated 06/04/2023)

ORDER

IN

CRL OP(MD) No.6428 of 2023

Date :06/04/2023

RK/MMS/SAR-2 (18/04/2023) 3P/7C