



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

Date : 10/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.6512 of 2023

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Ayyappan

... Petitioner / Accused No.1

Vs

The State rep by
The Inspector of Police,
Cholapuram Police Station,
Thanjavur District.
(Crime No.184 of 2023.)

... Respondent / Complainant

For Petitioner : M/s.Veerapandi.P, 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.184 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

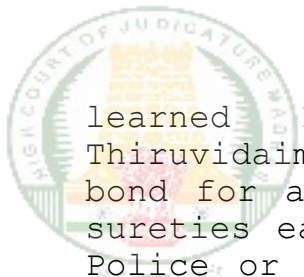
The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 4(1)(a) r/w. 4(1-A) of TNP Act in Crime No.184 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was found in illegal possession of 61 number (Each containing 180ml) of tasmac bottles. Hence, a case has been registered.

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

4.Considering the facts and circumstances of the case and also considering the fact that there is no previous case pending against the petitioner, 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 his appearance, within a period of two months from the date of receipt of a copy of this order, before the



learned District Munsif cum Judicial Magistrate ,
Thiruvudaimaruthur 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 to 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 make a non refundable deposit for a sum
of Rs.10,000/- **(Rupees Ten thousand only) to the credit of
Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-
9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without
prejudice to his rights and contentions before the trial Court and
produce the receipt/acknowledgment before the concerned Court while
executing sureties.**

(c) the petitioner shall report before the respondent police
daily at 10.30 a.m for a period of three weeks and thereafter, 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]; and;

(g) if the accused/petitioner thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC.

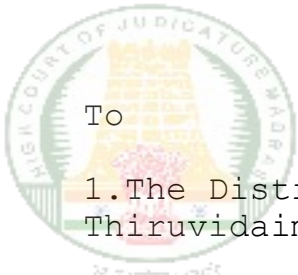
sd/-

10/04/2023

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



To

1.The District Munsif cum Judicial Magistrate,
Thiruvidaimarudhur.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Cholapuram Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Officer Incharge,
Chief Minister Public Relief Fund,
Government of Tamil Nadu,
Secretariat, Chennai-9.

+1 CC to M/s.VEERAPANDI.P, Advocate (SR-5582[I] dated 10/04/2023)

ORDER

IN

CRL OP(MD) No.6512 of 2023

Date :10/04/2023

ED/VR/SAR-1 (13/04/2023) 3P 7C