



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

Date : 18/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8932 of 2023

WEB COPY

Kulanjirajan

... Petitioner/Accused No.2

Vs

State Rep.by
The Inspector of Police,
Pandhanallur Police Station,
Thanjavur District
(Crime No.174 of 2023).

... Respondent/Complainant

For Petitioner : M/s.Alagumani.R, Advocate.
For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.174 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1)(a) r/w 4(1-A) of the Tamil Nadu Prohibition Act, in Crime No.174 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 29.03.2023 at about 09.30 a.m., the respondent Police conducted inspection near Kurichi Pandiyan drainage. During the relevant point of time, the petitioner was found in possession of 13 numbers of 180 ml liquor bottles. Hence, the case was registered.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. However, he would further submit that the petitioner, without prejudice to his right, is ready to deposit the amount that may be imposed by this Court.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the petitioner was found in possession of 13 numbers of 180 ml liquor bottles and eight previous cases which are similar in nature are pending against the petitioner.



5. Considering the facts and circumstances of the case, so considering the nature of the offence alleged, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) as non-refundable deposit to the credit of Madras High Court Madurai Bench Advocate Clerk's Welfare Association, Madurai-625023 (A/c No.496039124, IFSC code: IDIB000H040), without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the Judicial Magistrate, Thiruvudaimaruthur.

7. On production of such receipt/acknowledgment, 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 of receipt of a copy of this order, before the 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 (**of which one shall be a blood related surety**) each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before respondent police daily at 10.30 a.m., until further orders.

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

[d] the 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 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].

sd/-

18/05/2023

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

ssb



TO

1 THE JUDICIAL MAGISTRATE, THIRUVIDAIMARUTHUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, PANDHANALLUR POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO

THE OFFICER INCHARGE,
ADVOCATE CLERKS WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.8932 of 2023
Date :18/05/2023

RS//SAR-(25.05.2023) 3P 6C