



CRL OP(MD). No.16607 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16607 of 2023

Balasubramaniyan

... Petitioner/ Accused No.2

Vs

The State, represented by
The Inspector of Police,
PEW Police Station,
Pattukkottai, Thanjavur District.
(Crime No.586 of 2023)

... Respondent/ Complainant

For Petitioner : Mr.P.R.BOOMEE RAJAN,
Advocate.

For Respondent : Mr.R.SURESH KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.586 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1)(a) r/w. 4(1-A), 4(1)(h) and (*) 4(1)(i) of Tamil Nadu Prohibition Act, in Crime No.586 of 2023 on the file of the respondent Police, seeks anticipatory bail.



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2. The case of the prosecution is that on 21.08.2023 at about 7.00 a.m., the petitioner was found in illegal possession of ten numbers of brandy TASMAC liquor bottles and those things have been recovered. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that there is no previous case pending against the petitioner.

5. Considering the facts and circumstances of this case and also considering that no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period



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of 15 days from the date on which the order copy made ready, failing which, the
petition for anticipatory bail will stand dismissed.

sd/-
13/09/2023

(*) CORRECTED AS PER ORDER OF THIS
COURT DATED 05.10.2023 IN CRL.OP(MD)
NO.16607 OF 2023

/ TRUE COPY /

/10/2023

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

INDU

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 13/09/2023 ALREADY
DESPATCHED

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
PEW POLICE STATION,
PATTUKKOTTAI, THANJAVUR DISTRICT.

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

+1 CC to M/s.PR BOOMEERAJAN, Advocate (SR-13719[I] dated 15/09/2023)



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ORDER
IN
CRL OP(MD) No.16607 of 2023
Date :13/09/2023

SA/VRS/SAR. /21.09.2023/4P/6C

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Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.