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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17169 of 2023

Elakkiya

... Petitioner/ Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Villoor Police Station,
Madurai District.
(Crime No.59 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.V.M.Jegadeesha Pandian,

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.59/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused No.2, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1-A) of Tamil

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



Nadu Prohibition Act, in Crime No.59 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 11.09.2023, on secret information received regarding illegal liquor selling on their jurisdiction, the respondent Police went to Villoor to Kasipuram Road. Near Villur Kamatchi Garden, they intercepted a two wheeler bearing Registration No.TN 67 BB 7464, also found that the petitioner is in possession of 66 liquor bottles illegally and the same was seized by the respondent Police. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Since the petitioner is the wife of first accused, she has been falsely implicated in this case.

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

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



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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 her appearance, before the District Munsif cum Judicial Magistrate Court, Peraiyur, Madurai, 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 of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
25/09/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
PERAIYUR, MADURAI.

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



2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
VILLOOR POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.V.M.JEGADEESHA PANDIAN, Advocate (SR-14251[I] dated
27/09/2023)

ORDER
IN
CRL OP(MD) No.17169 of 2023
Date :25/09/2023

Indu

MK/06.10.2023 4P 6C

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