



WEB COPY

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.17189 of 2023

1.Ramachandran

2.Desinghu

... Petitioner/ Accused Rank Not Known

Vs

The State Rep.by
The Inspector of Police,
Prohibition and Enforcement Wing,
Srivilliputhur,
Virudhunagar District.
(Crime No.Not Known of 2023).

... Respondent/ Complainant

For Petitioner : Mr.K.Prabhu, 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.Not known/2023 on the file of the Respondent police.



ORDER : The Court made the following order :-

The petitioners/ Accused rank not known, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 4(1)(A) of Tamil Nadu Prohibition Act, in Crime No.not known of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 08.09.2023 at about 12.45 a.m., on secret information the defacto complainant along with her assistants went to Senthattiyapuram, where the accused were found in illegal possession of 15 litres of illicit arrack and the same was seized by them. Hence, the case.

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

4.The learned Government Advocate (Crl.Side) submitted that the petitioners are having one previous cases each, which are not in similar nature. After filing of this petition, First Information Report in Crime No.970 of 2023 has been registered



under Section 4(1-A), 4(1)(g) of TNP Act. Considering the nature of offence, he prays to dismiss the petition.

5. Considering the nature of offence and also considering that one previous case is pending against the petitioners each, which are not in similar nature, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Srivilliputhur, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent Police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



7. The petitioners 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

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

TO

1 THE JUDICIAL MAGISTRATE NO.II
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE
PROHIBITION AND ENFORCEMENT WING,
SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.K.PRABHU, Advocate (SR-14234[I] dated 26/09/2023)
<https://www.mhc.tn.gov.in/judis>



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ORDER

IN

CRL OP(MD) No.17189 of 2023

Date :25/09/2023

Indu

MK/05.10.2023 5P 6C

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