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Crl.O.P.No.63 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 4(1) (a), 4(1-A) of TN Prohibition Act in Crime No.843 of 2023, seeks anticipatory bail.

2. It is stated that the petitioner was in possession of 26 brandy bottles each containing 180 ml.

3. The learned Government Advocate appearing for the respondent submitted that there was 5 previous cases against the petitioner. He further submitted that the other accused had been arrested and released on bail vide order dated 21.12.2023 in Crl.M.P.No.7687 of 2023.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, 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 on which the order copy made ready, before the **learned Judicial Magistrate, Thiruporur**, on condition that the petitioner shall execute a



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[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 report before the respondent police daily until further orders.

[c] the petitioners shall deposit a sum of Rs.15,000/- to the Registered Advocate Clerk Association, High Court of Madras, Chennai. Two weeks time is granted for deposit the said amount from the date of receipt of a copy of this order.

[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.



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[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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

05.01.2024

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