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Crl.O.P.No.551 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 4(1)(aa), 4(1-A) of the Prohibition Act, in Crime No.692 of 2023, seeks anticipatory bail.

2. It is stated that there are four accused and they were found in possession of 60 liters of ID arrack. It is stated that there are three previous cases against the petitioner and one case is similar in nature and one under NDPS Act. However, two of the accused had been arrested and granted bail and one of the accused had been granted anticipatory bail.

3. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4. 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 Judicial Magistrate No.II, Attur, Salem 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 respondent



Crl.O.P.No.551 of 2024

WEB COPY

police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank pass Book to ensure their identity.

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

[c] the petitioner shall deposit a sum of Rs.20,000/- to the credit of the Dean, Government General Hospital, Salem, for treatment of needy patients.

[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.

[f] On breach of any of the aforesaid conditions, the learned



Crl.O.P.No.551 of 2024

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.

23.01.2024

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Crl.O.P.No.551 of 2024

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