



CrI.OP.No.876 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/A3 in Crime No.713 of 2023 registered by the respondent police for the offences punishable under Section 4(1)(aaa), 4(1-A) of Tamilnadu Prohibition Act, 328 and 420 of IPC seeks anticipatory bail .

2. The case of the prosecution is that the respondent had recovered 240 TASMAC bottles from a Bullet Bike having registration No.TN-50-BX-1098 and Innova Car which did not have any registration number, however affixed with the sticker for registration. It is stated that the present petitioner has a blending Unit at Pondicherry and supplies alcohol in Tamil Nadu.

3. It is stated that the petitioner is the 3rd accused. The 1st, 2nd 5th to 9th accused already been arrested. Subsequently, the 1st accused had



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been detained under Tamil Nadu Act 14 1982, and 2nd 5th to 9th accused have been granted bail. The 4th accused has also been granted bail. The earlier application seeking anticipatory bail was dismissed on 06.11.2023. The change in circumstances is that the respondent has secured all the accused and the 1st accused had been detained under Tamil Nadu Act 14, 1982 and the other accused have been granted bail.

4. In view of the particular fact, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, **the petitioner shall make a non-refundable deposit of Rs.40,000/- (Rupees Forty Thousand only) to the credit of the Dean, Government General Hospital, Thiruvarur for treatment of needy patients** and on such deposit and the production of proof, 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 Court, Thiruvarur** on condition that the petitioner shall execute a bond for a sum of



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Rs.10,000/- (Rupees Ten Thousand only) with two sureties, for a like sum to the satisfaction of the respondent 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 everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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



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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]**.

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

Vv

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