



Crl.O.P.No.831 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(aa) and 4(1-A) of TNP Act in Crime No.411 of 2023, seek anticipatory bail.

2.The petitioners are arrayed as A2, A4 and A5. The case of the prosecution is that the petitioners were found in illegal possession of 310 bottles of liquor (each bottle contains 180 ml).

3.It is stated that A1 and A3 had been arrested and later, enlarged on bail.

4.The learned Government Advocate (crl.side) stated that there are 15 previous cases against the first petitioner and there is no previous case against the petitioners 2 and 3.

5.Taking into consideration the previous antecedent of the first petitioner, this petition is not inclined to grant anticipatory bail to him and this Criminal Original Petition stands dismissed as against the first petitioner and the petitioners 2 and 3 are concerned, this Court is inclined to grant anticipatory bail to them with certain conditions.



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6. Accordingly, the second and third petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Cheyyur, on condition that the second and third petitioners shall execute a separate 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 respondent police or the police officer who intends to arrest or to the satisfaction of this Court concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the second and third petitioners 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 second and third petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders.

[c] the second and third petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the Registered Advocate Clerk Association, High Court of Madras, Chennai, within a period of two weeks from the date of receipt of copy of this order.



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[d] the second and third petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the second and third petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the second and third petitioners in accordance with law as if the conditions have been imposed and the second and third petitioners 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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