



Crl.O.P.No.1025 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.561 of 2023, registered by the respondent for the offences under Sections 4(1)(aaa) r/w 4(1-A) of TNP Act.

2.It is stated that the petitioner was going in a Bajaj Pulsar bike bearing Regn.No.TN-51-AF-8845 in a suspected manner and on seeing the police persons they ran away and the bags in the bike, it was found that the petitioner was transporting 110 litres of ID arrack.

3.It is stated that there are no previous cases against the petitioner herein. Taking that factor into consideration and also the fact that the illicit arrack had been seized, I am inclined to grant anticipatory bail to the petitioner with certain conditions:

4.Accordingly, the petitioner is ordered to be released on anticipatory 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,



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before the **Judicial Magistrate, Kilvelur, Nagapattinam District**, on condition that the petitioner shall execute a bond for a sum of **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 deposit a sum of Rs.15,000/- as non-refundable deposit to the credit of the Dean, Government General Hospital, Nagapattinam, for treatment of needy patients.

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



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[e] the petitioner 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 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.

19.01.2024

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