



Crl.O.P.No.1242 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A1 to A4 in Crime No.135 of 2023, registered by the respondent police for the offences punishable under Sections 4(1)(g), 4(1)(aaa). 4(1-A) of TNP act, seek anticipatory bail.

2.It is stated that the petitioners were said to be in possession of 110 litres of illicit arrack and 5000 litres of fermented wash.

3.In the petition, the petitioners have not mentioned about the said 5000 litres of fermented wash.

4.A memo has been filed by the learned counsel for the petitioners indicating about 5000 litres of fermented wash. The memo is recorded.

5.Taking all the factors into consideration and the fact that there are two previous cases against the 1st petitioner, four previous cases against the 2nd petitioner and A3 is granted relief, I am inclined to grant anticipatory bail to the petitioners with certain conditions:

6.Accordingly, the petitioners/A1 to A4 are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy



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made ready, before the **Judicial Magistrate, Sankarapuram**, on condition that the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each 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 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] Each of the four petitioners shall deposit a sum of **Rs.20,000/-** each to the credit of **Crime No.135 of 2023** before the **Judicial Magistrate, Sankarapuram** and on such deposit, the **Judicial Magistrate, Sankarapuram** may hand it over to the responsible official of **Government General Hospital at Kallakurichi District**, for treatment of needy patients.



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

[e] the 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 petitioners in accordance with law as if the conditions have been imposed and the 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.

14.02.2024

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