



Crl.OP.No.5264 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/A2 in Crime No.65 of 2024 registered by the respondent police for the offences punishable under Sections 4(1)(aaa), 4(1-A)(ii) of Tamil Nadu Prohibition Act in Crime No.65 of 2024, seeks anticipatory bail.

2.It is stated that the petitioner and the other accused were found in possession of 20 litres of ID arrack and 490 packets of 180ml liquor. It is also stated that there are two previous cases against the petitioner.

3. The earlier application seeking anticipatory bail was dismissed on 08.02.2024. The change in circumstances is that A1 who had been arrested and being granted anticipatory bail.



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4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 *learned Judicial Magistrate-II, Thirupattur* 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.



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[b] the petitioner shall deposit a sum of Rs.30,000/- to the credit of Cr.No.65 of 2024, and on such deposit, the learned Judicial Magistrate-II, Thirupattur may hand it over to the responsible officer of Government Hospital at Thirupattur for treatment of needy patients.

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

[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 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.

Vv

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