



Crl.O.P.No.5144 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.5144 of 2024

M.Thirumoorthy

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Jolarpet Police Station,
Tirupattur District.

(Crime No.84 of 2024)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 438 of Cr.P.C. praying to enlarge the petitioner on anticipatory bail concerned in Crime No.84 of 2024 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.C.D.Sugumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



Crl.O.P.No.5144 of 2024

WEB COPY

ORDER

The petitioner seeks anticipatory bail in Crime No.84 of 2024, registered by the respondent police for the offences under Sections 4(1)(a) and 4(1-A) of TNP Act.

2.It is stated that the petitioner was in possession of 374 bottles of liquor. It is also stated that there are five previous cases against the petitioner.

3.Taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

4.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 **Judicial Magistrate Court No.I, Tirupattur**, 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



Crl.O.P.No.5144 of 2024

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] Additionally, the petitioner shall deposit a sum of Rs.30,000/- to the credit of Crime No.84 of 2024 before the Judicial Magistrate I, Tirupattur. On receipt of such payment, the learned Judicial Magistrate I, Tirupattur, may hand over the same to the responsible person, namely, the Dean, Government General Hospital, Tiruppattur, for treatment of needy patients.

[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.



Crl.O.P.No.5144 of 2024

WEB COPY

[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.

19.03.2024

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Crl.O.P.No.5144 of 2024

C.V.KARTHIKEYAN. J.

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Crl.O.P.No.5144 of 2024

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