



Crl.O.P.No.5751 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.44 of 2024, registered by the respondent police for the offences under Sections 4(1)(aaa) and 24 of Tamil Nadu Prohibition Act.

2.The petitioner is the owner of TASMACH shop No.8914 and the bar attached to it. He was found in possession of 264 beer bottles meant for sale at higher price.

3.It is stated that A1 had been arrested and had been granted bail. But the petitioner is the one who would make profit out of selling the substantial quantity of beer bottles at higher price in the black market.

4.The earlier application seeking anticipatory bail in Crl.O.P.No.3854 of 2024 was dismissed by this Court on 20.02.2024. It is stated that investigation has proceeded to a substantial extent and only the lab report is awaited.

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

6.Accordingly, the petitioner is ordered to be released on



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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, before the **Judicial Magistrate, Ambattur** 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] Additionally the petitioner shall deposit a sum of **Rs.25,000/-** to the credit of the Dean, Stanley Government Medical College and Hospital, Chennai, for treatment of needy patients.

[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



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trial.
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[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.

08.03.2024

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