



Crl.O.P.No.6046 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A2 and A4 in Crime No.35 of 2024, registered by the respondent police for the offences under Sections 294(b) & 353 of IPC and Section 4(1)(a) of Tamil Nadu Prohibition Act and Section 24(1) of COTPA Act, 2003, seek anticipatory bail.

2.It is stated that A1 and A3 had been arrested and remanded to judicial custody. But however, later A1 had been granted bail, but A3 is still in custody. All the accused were in possession of 51 bottles of liquor.

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

4.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen



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days from the date on which the order copy made ready, before the XIII Metropolitan Magistrate Court, Egmore, Chennai, 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] Additionally, each of the two petitioners shall deposit a sum of Rs.10,000/- each, to the credit of the Dean, Stanley Government Medical College and Hospital, Chennai, 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.



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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 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.

13.03.2024

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