



**Crl.O.P.No.6279 of 2024**

**T.V.THAMILSELVI, J.**

WEB COPY

The petitioner, who apprehends arrest for the alleged offences punishable under Section 4(1-A), 4(1) (aa), 14A of Tamil Nadu Prohibition Act in crime No.98 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that on secret information, the respondent police have made a search nearby Karadichittur to K.Sellampattu Main Road Lake. During the search the petitioner and A1 were found to be in possession of 80 litres of Arrack kept in 4 lorry tyre tubes. Then the respondent police lodged the FIR against the petitioner and A1 on 02.03.2024. The respondent police seized the 80 litres of Arrack. A1 was arrested and remanded by the Judicial Magistrate No.1, Kallakurichi on 02.03.2024. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence and he is no way connected in this case. He is a law abiding citizen and he undertakes to abide by any conditions imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that based on the confession of the Co-accused the petitioner has been implicated in this case.



Hence, he opposed for grant of anticipatory bail to the petitioner.

WEB COPY

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is directed 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 No.1, Kallakurichi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the respondent/police or the police officer, who intends to arrest the petitioner, 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*



WEB COPY



Crl.O.P.No.6279 of \_\_\_\_\_

*photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;*

*(b) the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Registered Advocates Clerks Association, Kallakurichi, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;*

*(c) the petitioner shall appear before the respondent police as and when required;*

*(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 Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;*



WEB COPY



Crl.O.P.No.6279 of \_\_\_\_

*(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.*

**17.04.2024**

ah



WEB COPY



Crl.O.P.No.6279 of \_\_\_\_\_

**T.V.THAMILSELVI, J.**

ah

**Crl.OP.No.6279 of 2024**

**17.04.2024**