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Crl.O.P.No.7666 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/accused in Crime No.18 of 2024 registered by the respondent police for the offences punishable under Sections 4(1)(g), 4(1)(aa) and 4(1-A) of Tamil Nadu Prohibition Act r/w Section 328 of IPC seeks with respect to an occurrence which took place on 08.01.2024. seeks anticipatory bail.

2. It is stated that the petitioner was found in possession of 70 litres of illicit arrack and 200 litres of fermented wash. It is also stated that there are seven previous cases against the petitioner.

3. The earlier petitioner seeking anticipatory bail was dismissed on 09.02.2024 in Crl.OP.No.2605 of 2024. It is stated that two previous cases have referred as "mistake of fact" and there are two cases which are pending trial.



Crl.O.P.No.7666 of 2024

WEB COPY

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail subject to the following conditions:

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, Chengam, Tiruvannamalai District** 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 or to the satisfaction of this Court 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.



Crl.O.P.No.7666 of 2024

WEB COPY

[b] the petitioner shall deposit a sum of Rs.20,000/- to the credit of Cr.No.18 of 2024 and on such deposit, the learned Judicial Magistrate, Chengam, Tiruvannamalai District may hand it over to the responsible officer of Government Hospital at Thiruvannamalai for treatment of needy patients.

[c] the petitioner shall appear before the respondent police every day 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.

27.03.2024

Vv



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