



Crl.O.P.No.6234 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner/A2 in Crime No.116 of 2024 registered by the respondent police for the offences under Sections 4(1)(aaa) and 4(1-A) of TN Prohibition Act, seeks anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that the Petitioner was found in possession of 110 litres of Pondy Liquor together with the Accused A1, who had been arrested and is still in custody. He also stated that there are two previous cases against the Petitioner herein. Thus, he opposed this petition.

3. The learned counsel for the Petitioner stated that the Petitioner is an innocent person and had not committed any offence as alleged. Thus, he prays for grant of anticipatory bail to the Petitioner herein.

4. Taking all the factors into consideration, Court is inclined to grant anticipatory bail to the Petitioner subject to the following conditions that **the Petitioner is directed to deposit a sum of Rs.25,000/- (Rupees**



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Twenty Five Thousand only) to the credit of Crime No.116 of 2024 before the learned Judicial Magistrate, Kilvelur and on such deposit, the learned Judicial Magistrate, Kilvelur may hand over the said amount to the respondent officer of the Government Hospital at Nagapattinam for the treatment of needy patients. 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, Kilvelur**, 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 the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions 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 deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime



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No.116 of 2024 before the learned Judicial Magistrate, Kilvelur and on such deposit, the learned Judicial Magistrate, Kilvelur may hand over the said amount to the respondent officer of the Government Hospital at Nagapattinam for the treatment of needy patients.

[c] the petitioner shall report before the respondent police daily 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]**.



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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