



Crl.O.P.No.9394 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/second accused in Crime No. 243 of 2024 registered by the respondent police for the offences punishable under Sections 4(1)(a) and (4(1-A) of the Tamil Nadu Prohibition Act with respect to an occurrence which took place on 22.02.2024 seeks anticipatory bail.

2. It is stated that A1 and A2 had transported 224 bottles of Pondicherry liquor in two two-wheelers. A1 was intercepted and arrested. The petitioner had run away from the place. It is stated that the petitioner is a history sheeter and there are 24 previous cases against the petitioner.

3. The earlier application seeking Anticipatory Bail was dismissed by this Court on 05.03.2024 in Crl. O.P.No.5280 of 2024. One change in circumstance is progress in investigation. In view of that particular fact, this Court is inclined to grant anticipatory bail to the petitioner, but however, directing the petitioner to deposit a sum of **Rs.30,000/- (Rupees Thirty Thousand only) as non-refundable**



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deposit to the credit of Crime No.243 of 2024, before the Judicial Magistrate Court, Nannilam. The said amount may be handed over by the Judicial Magistrate, Nannilam to the responsible Officer at Government General Hospital, for treatment of accused.

4. Taking all the factors into consideration, 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 Court, Nannilam, 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 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 daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either



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during investigation or trial.

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[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**.

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

17.04.2024

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